

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CWP No.1848 of 2018 (O&M)

Date of decision: 28.01.2020

Ramesh Kumar

....Petitioner

Versus

Vice Chancellor, Maharishi Dayanand University,  
Rohtak and another

...Respondents

**Coram: Hon'ble Mr. Justice B.S. Walia**

**Present:** Mr. Sudhir Kumar Pandey, Advocate for the petitioner.

Mr.Amit Rao, Advocate for Mr. Anurag Goyal, Advocate for the respondents.

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**B.S. Walia, J. (Oral)**

Learned counsel for the respondents states that the second prayer for restraining the respondent-University from treating the incumbents of the post of AC Supervisor eligible for promotion to the post of JE (Electrical) is not maintainable in view of decision having been taken by the competent Authority of the University to treat the incumbents of post of AC Supervisor eligible for promotion to the post of JE (Electrical) and the said decision dated 29.06.2016 not having been challenged by the petitioner.

2. At this stage, counsel for the petitioner states that in fact the aforementioned decision was challenged by the petitioner but CWP No.7729 of 2017 was dismissed by Hon'ble the High Court vide order dated 12.05.2017.

3. Learned counsel for the respondents states that in the circumstances, there is concealment of material facts as no mention has been

made by the petitioner of the writ petition having been filed challenging the decision dated 29.06.2016 and further that once the decision to treat the incumbents of post of AC Supervisor eligible for promotion to the post of JE (Electrical) has already been upheld by the High Court then it is not open to the petitioner to file a subsequent writ petition seeking a direction to the respondents to restrain them from treating the incumbents of post of AC Supervisor eligible for promotion to the post of JE (Electrical).

4. Faced with the aforementioned position, learned counsel for the petitioner states that he does not press the writ petition and would be content with the stand of the respondents in impugned order Annexure P-9 dated 13.11.2017 to consider his case for promotion to the post of JE (Electrical), on turn as per criteria in accordance with law applicable.

5. In the light of the position as noted above, the writ petition is disposed of as not calling for any further orders.

**January 28, 2020**

**ps**

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No

**(B.S. WALIA)**  
**JUDGE**