

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 18558 of 2020

Date of Decision: 05.11.2020

Ram Mehar

... Petitioner(s)

Versus

Chaudhary Devi Lal University, Sirsa and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Parmender Singh Bhukal, Advocate
for the petitioner(s).

Mr. Naman Jain, Advocate
for the respondents.

Anil Kshetarpal, J.

This petition, under Article 226/227 of the Constitution of India, has been filed for issuance of a writ in the nature of certiorari, for setting aside the notification dated 20.10.2020 (Annexure P8), which reads as under:-

*“DEPARTMENT OF JOURNALISM & MASS
COMMUNICATION, CHAUDHARY DEVI LAL UNIVERSITY,
SIRSA*

*Hon'ble Vice Chancellor is pleased to approve the
minutes of the meeting held regarding the smooth shifting of BA
JMC Course along with Faculty from current session i.e. 2020-
21. The Principal of University College will exercise full
administrative control of BA JMC Course as resolved in the
meeting of Chairperson, JMC, In-Charge, JMC and Principal,
University College held on 08.09.2020 at 1.00 PM in the office*

of Chairperson, Department of JMC. (Copy of minutes attached). It is for your information and further necessary action in this regard.

*Sd/-
Chairperson*

Learned counsel for the petitioner contends that the petitioner is working on contractual basis as Assistant Professor in the Department of Journalism & Mass Communication, in Chaudhary Devi Lal University, Sirsa , for a period of more than ten years, and now, the Vice Chancellor has shifted the petitioner to the University College. He further submits that the regular faculty has not been shifted and therefore, the action of the Vice Chancellor is discriminatory.

On the other hand, Mr. Naman Jain, Advocate, who appeared for the respondents pursuant to the supply of advance copy of the writ petition, submits that a policy decision has been taken to shift the Undergraduate course in Journalism & Mass Communication, to the newly set up University College, which is located in the University premises only. He further submits that this shifting has been done because there was no workload available for the contractual staff. He further submits that the permanent faculty/regular incumbents have been retained in the department in order to take the lectures and teach the students of post graduation courses as well as to guide students doing Ph.D. .

This Court has considered the submissions of learned counsel for the parties.

It may be noted here that previously undergraduate courses

the department. It is not the case of the petitioner that any contractual Assistant Professor has been kept in the department. From the reading of the order, it is apparent that a policy decision has been taken by the Vice Chancellor.

In these circumstances, this Court, under Article 226/227 of the Constitution of India, has a limited jurisdiction. In the absence of a patent arbitrariness or violation of any statutory provision, it would not be appropriate to interfere. Further, the university college is located in the University itself. Hence, the writ petition is dismissed.

(Anil Kshetarpal)
Judge

November 05, 2020

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No