

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**LPA No.1767 of 2018(O&M)**

**Date of Decision:-21.01.2020**

**Dr. Bhavet.**

.....Appellant.

Verus

**State of Haryana & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH  
HON'BLE MR. JUSTICE SANT PARKASH**

Present:- Mr. Jitender S. Chahal, Advocate for the Appellant.

Mr. Jatin Salwan, Advocate for Respondent no.5.

Mr. Rajdeep Singh Cheema, Advocate for  
Respondent no.7.

Ms. Shruti Jain Goyal, Deputy Advocate General,  
Haryana.

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**JASWANT SINGH, J.(ORAL)**

Appellant has filed the instant Intra Court Appeal under the Letter Patents Act against the order dated 31.07.2018 passed by learned Single Judge in CWP No.15768 of 2014, filed by the appellant/Petitioner, whereby his challenge to the non selection for appointment as Assistant Professor in Commerce in the DAV College, Pehowa, Kurukshetra and DAV College, Pundri, Kaithal was foreclosed on account of having approached the court after delay

inasmuch as the interviews for such consideration were over.

It is submitted that the factum of having approached after delay is incorrect in the light of factual submissions made in the LPA.

On the previous date of hearing i.e. 09.01.2020 following order was passed:-

*“ The grievance is only with respect to the foreclosure of raising the claim qua non selection to the post of Assistant Professor (Commerce) pertaining to D.A.V. College, Pehowa (Kurukshetra)-respondent No.5 and D.A.V. College, Pundri (Kaithal)-respondent No.7 vide the impugned judgment dated 31.07.2018 passed by the learned Single Judge solely on the ground of the petitioner having approached after the interviews were held for the said two colleges.*

*It is contended that as per the selection process, upon the application of the candidates, they were required to appear for the interview. By relying upon Annexure P-5, it is shown that the petitioner was called for interview, however, was not permitted to appear on the ground of concealment of the previous degree of M.Com from Kurukshetra University in his application form. The prayer, thus, is for permitting the appellant to challenge his non consideration for appointment to the post of Assistant Professor (Commerce) pertaining to DAV colleges i.e. respondent No.5 and respondent No.7 as well in terms of the judgment dated 31.07.2018.*

*Learned counsel appearing on behalf of respondent No.5 and respondent No.7 pray for a week time to seek instructions.*

*Adjourned to 21.01.2020.*

*To be shown in urgent list.*

*”*

At the time of hearing today, Counsel for the respondent nos.5 & 7-Colleges have placed on record letter dated 20.01.2020 issued by the DAV Managing Committee whereby it has been agreed

that the appellant-Dr. Bhavet will be interviewed and considered afresh for recruitment to the post of Assistant Professor in Commerce in both the aforesaid colleges. The memo/Ref. No.57877 dated 20.01.2020 is taken on record as **Mark-A**.

In view of the aforesaid stand of respondent nos.5 & 7-Colleges, Counsel for the appellant agrees that nothing more survives for adjudication in the present appeal. He, however, prays for providing a time line for conducting the interview and finalizing the result, to which, counsel for the respondents have no objection.

In view of the aforesaid stand of the contesting respondent nos.5 & 7-Colleges, present appeal is **disposed of as infructuous** with a direction for conducting the interview and declaring the result within a period of two (02) months from today.

( JASWANT SINGH )  
JUDGE

( SANT PARKASH )  
JUDGE

January 21, 2020  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |