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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11654/2018**

DR. DHANRAJ T. MASRAM Petitioner
Through **Mr. Bajrang Vats, Advocate.**
versus

UNIVERSITY OF DELHI Respondent
Through **Mr. Siddhant Tripathi and Mr.Santosh Kumar, Advocates.**

CORAM:
HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER
% **11.02.2020**

By the instant petition, the petitioner seeks issuance of a Writ of Mandamus to the respondent for being issued the offer of appointment to the post of Associate Professor in Chemistry Department.

The issue agitated in the instant petition lies in a narrow compass. It emerges from the record, the petitioner having been recommended by the Select Committee for appointment to the post of Associate Professor in the Department of Chemistry in its meeting held on 27.03.2015, the Executive Council of the University of Delhi in its meeting of 28.05.2015 resolved to confirm such selection. In spite of such confirmation by the Executive Council, which Mr.Kumar, ld. counsel appearing for University of Delhi on his part does not dispute, the offer of appointment has however not yet been made. In the submissions of Mr. Kumar, it could not be done on account of the clarifications sought by the University from University Grants Commission with regard to the period of contractual appointment for the past service being taken into account.

It is strange that the appointing authority having undertaken the entire selection process, has taken such a stance of the kind later. Be that as it may, during the course of hearing, it does come to be pointed out that on the subject matter having been taken up by the University Grants Commission for clarifications, UGC has responded to the clarifications sought by the University vide its letter dated 15.05.2017, which forms part of the affidavit filed on behalf of the University as Annexure 'R-2', and reads as under:

“With reference to your letter No. Estab(I)/V/001/2009/Chem-31 dated 14th September, 2016 on the subject cited above, I am directed to inform that the issue of counting of past service is required to be examined strictly in accordance with the provisions stipulated under the clause 10.00 (copy enclosed) of UGC Regulations On Minimum Qualification for Appointment of Teachers and other Academic Staff in Universities and Colleges and measures for the Maintenance of Standard in Higher Education, 2010.”

In view of the foregoing response of UGC, it requires no elaboration, the University was required to take a decision at its own end. On being queried, Mr.Kumar states that no decision has come to be taken by the University after the receipt of the said letter dated 15.05.2017 of UGC.

Taking into account the totality of facts and circumstances, the writ petition is disposed of with a direction to the respondent University to take a decision in the light of the letter dated 15.05.2017 of UGC within six weeks from today by a speaking order to be communicated to the petitioner immediately thereon.

Writ petition stands disposed off accordingly.

A. K. CHAWLA, J

FEBRUARY 11, 2020/nn