

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

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**Civil Writ Petition No.12894 of 2021 (O&M)
Date of Decision: July 23, 2021**

Dr. Sandeep Kaur

.....Petitioner.

VERSUS

Guru Nanak Dev University and another

.....Respondents.

114-A

Civil Writ Petition No.12998 of 2021 (O&M)

Jatinder Kaur and others

.....Petitioners.

VERSUS

Guru Nanak Dev University and another

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA

Present: Mr. Vivek Sharma, Advocate
for the petitioner(s).

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J.(Oral)

This order will dispose of two civil writ petitions captioned
above, filed under Articles 226/227 of the Constitution of India.

The facts have been taken from CWP No.12894 of 2021.

Counsel for the petitioner(s) has submitted that the petitioner

was employed as a part time lecturer with respondent No.2 on 18.07.2016 (Annexure P-1). She had been relieved from service and then filed CWP No.5193 of 2021. Similarly, in CWP No.12998 of 2021, petitioners had also approached this Court on the ground that they were being dismissed from service and posts have been re-advertised and on appointment of teachers on contract basis, they are liable to be relieved. An interim order dated 20.03.2017 has been passed in CWP No.5592 of 2017 in their favour that they would not be relieved.

In the meantime, advertisement No.3/2021 dated 18.03.2021 (Annexure P-3) had been issued, advertising the said posts of Assistant Professor (Punjabi) in three colleges, the cut off date of which was 11.04.2021. It is further submitted that apprehending that petitioner was being replaced by similarly situated person in view of the fact that there was mention that their appointment may be initially for the period of two years on contract basis extendable on yearly basis upto the age of 70 years, she had filed an application in the said case. Statement had been made that these appointments will be on regular basis and thus, she could only apply for the requisite experience certificate on 12.04.2021 (Annexure P-7) after the cut off date. The requisite certificate was issued on 30.04.2021 (Annexure P-8) after the cut off date and thus, in such circumstances, consideration is sought of the petitioner's case. Apart from that, it is the case of the petitioners that on account of being part time lecturers, their experience certificates are not being considered for the purpose of marks, which are to be given, since teaching experience of less than an academic year is ignored.

Notice of motion.

Mr. M.K. Dogra, Advocate accepts notice on behalf of respondents. He submits that petitioners' case shall be considered for appointment irrespective of the delay as such on account of pending experience certificate. He, however, submits that the benefit of teaching experience is given as per the advertisement and the criteria adopted by the Syndicate. He submits that petitioners could have a right as such to agitate separately in case, they do not make the cut off and writ petitions are premature at this stage.

This Court is in agreement with the said submission made. The petitioners only have apprehension at this stage. . The assurance has been held out that their case will be considered and will not be rejected on account of late submission of experience certificates. In case, the petitioners do not make the cut off on account of experience certificate as part time lecturer issued to them, it is always open to them to challenge the selection, which is yet to be finalised.

Accordingly, both the writ petitions are disposed of with the aforesaid assurance.

July 23, 2021

Sachin M.

(G. S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*