

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11179-2023

Date of decision : 22.05.2023

Mr. Mirza Sazan Beg and others

..... Petitioners

versus

I.K. Gujral Punjab Technical University and another Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rajiv Mahlotra, Advocate with
Mr. Tarun Sharma, Advocate and
Ms. Avichal Sharma, Advocate
for the petitioners.

PANKAJ JAIN, J. (Oral)

Petitioners herein claim themselves to be the employees of college which is being run by respondents No.2-Trust and affiliated to respondent No.1.

2. The grievance stems out of notification dated 17.01.2022 which reads as under:-

Dated: 17.01.2022

NOTIFICATION

Sub: Colleges of KC Group of Institutions, SBS Nagar (Nawanshahr) put under "No Admission Zone" w.e.f. Session 2021-22.

As approved by the competent authority in light of FIR registered vide reference No. RC096201980002 on 07.05.2019 by Central Bureau of Investigation (CBI), Shimla regarding misappropriation of PMS Scholarship funds by KC Group of Institutions, Nawanshahr (SBS Nagar), Punjab (KCGI). The following colleges of KC Group of Institutions, Nawanshahr are therefore, put under "No Admission Zone" w.e.f. academic session 2021-22:

1. K.C. College of Engineering & Information Technology, VPO Kariam, Tehsil & Distt. Nawanshahr
2. K.C. College of Hotel Management, VPO Kariam, Tehsil & Distt. Nawanshahr
3. K.C. College of Pharmacy, VPO Kariam, Tehsil & Distt. Nawanshahr
4. KC Institute of Hotel Management, VPO Kariam, Tehsil & Distt. Nawanshahr

2023:PHHC:074599

5. KC School of Management & Computer Applications,
Nawanshahr

This is issued with the approval of competent authority given vide
e-office file computer No.27103.

sd/-

(Jaspreet Singh, IAS)
Registrar

Dated: 17.01.2022”

3. The order has been passed against the K.C. Group of Institutions, SBS Nagar being run by respondent No.2-Trust. Counsel for the petitioner is not in a position to respond to the query as to:

(i) Whether the aforesaid notification has been challenged by respondent-Trust or not?

4. In the considered opinion of this Court, the petitioners cannot raise grievance against the notification and in case they have a grievance that would be against respondent No.2. Qua impugned notification, if any one has a grievance i.e. respondent No.2 as the petitioners are employees of trust and have no relationship with the respondent-University. The present lis initiated at the behest of the petitioners seems to be a ploy to raise a proxy litigation by the trust. Moreover, the petitioners herein seek writ in the nature of mandamus. The pre-requisite to seek writ in the nature of mandamus is the statutory right vested in the applicant and the corresponding legal duty casted upon the respondents, the present petition being merely a ploy to overreach the process of law being faced by the trustees owing to the alleged misdeeds cannot be entertained and is not maintainable.

5. In view of the above, the present writ petition is dismissed.

(PANKAJ JAIN)
JUDGE

22.05.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No