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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-13808-2023

Date of Decision: 13.07.2023

Anupam and others

. . . . Petitioners

Vs.

Punjab University and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. J.S. Ghumman, Advocate
for the petitioners.

Mr. Paramjit Batta, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Present Writ Petition has been preferred by the petitioners who are employees and working as Professor with the college with a prayer to direct the respondent-University to take action against the college for violating the Affiliation Rules.
2. Petitioners have also challenged the notice issued to them on 18.05.2023 (P-6) by the Society managing the college informing them about reduction of salary to 50% paid in February, 2023 on the ground of continuous reduction in the number of students in the various courses which have resulted in economic crunch. It is stated in the notice that those staff members who are agreed to the decision may continue while those who are not agreeable may treat the notice as 2 months' notice for termination of their services.

3. It is stated in the Petition that the college management in the recent years has been unilaterally taking decisions and the petitioners have been pushed into a corner for non-payment of their due salaries, and therefore, they have preferred this Writ Petition alleging that the college governing body does not have the required representation as per the Affiliation Rules, and there has been a unabashed violation of Affiliation Rules by the college committee, and the University has wrongfully granted affiliation to the college.
4. Complaint in this regard has also been filed by the petitioners and one other person whereafter an Inspection Committee Report was submitted along with recommendations which were required to be complied with by the college. There are also allegations leveled with regard to maintenance of accounts, and thus the petitioners challenge the notice dated 18.05.2023 as above.
5. Present petition with regard to violation of Affiliation Rules has been preferred by the petitioners for the purpose of coming out of notice dated 18.05.2023; allegations have been leveled and complaints have been filed by the petitioners against the college.
6. It is stated that Inspection Committee Report was handed over to the college authorities who have not complied with the said recommendations and the University is not taking any action.
7. In the opinion of this Court, professors and teachers working in the college are required to perform their duties and create an educational atmosphere, and improve the educational status of the college which would result in increasing the number of students in the college.
8. However, it appears that instead of performing their duties, which also come within the ambit of Article 51A of the Constitution of India, the

petitioners, who are Assistant Professors in various subjects, are indulging into filing of complaints against the college itself. If the teachers themselves start complaining about their own college, it cannot be expected that the students would take admission in such a college and definitely, the same would result in creating economic problems.

9. The notice issued to the petitioners on 18.05.2023 appears to be the result of such attitude of the petitioners for which they themselves are responsible.
10. This Court would not appreciate the contentions of such persons who are required to perform their duties and first and primary task having been forgotten, the Writ Petition does not deserve to be entertained as this Court under Article 226 of the Constitution of India would only entertain persons who come with clean hands, and those whose *bona fides* are clear.
11. In the opinion of this Court, the present Writ Petition is nothing but an abuse of process of law and the same is accordingly dismissed imposing cost of Rs.1,000/- each on all the petitioners to be deposited with the Punjab and Haryana High Court Legal Services Committee.

(SANJEEV PRAKASH SHARMA)
JUDGE

July 13, 2023

Mohit

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No