

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

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**CWP-20397-2019 (O&M)
Date of decision: 28.02.2023**

Dr. Vipin Goyal

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sushil Jain, Advocate for the petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of certiorari quashing the impugned list (Annexure P-13) declaring the petition ineligible for the post of Professor (Chest & TB), whereas the petitioner is fully qualified and eligible to be considered for the post of Professor and directing the respondents to re-designate the petitioner in view of the order dated 25.09.2018 (Annexure P-7) passed in CWP-11432-2016 titled as 'Dr. Vipin Goyal Vs. State of Haryana and ors', and the petitioner may kindly be interviewed provisionally for the post of Professor (Chest & TB).

Written statement filed by the learned State counsel on behalf of respondent Nos.1 to 3, in the Court is taken on record.

At the outset, learned State counsel points out that as per the written statement, the post of Professor (Chest & T.B.) published vide advertised No. SHKM/Rectt/2019/04 has already been withdrawn by publishing a public notice in the daily newspapers 'Dainik Jagran' and 'The

Tribune' on 20.07.2022 (Annexure R-2).

Learned counsel for the petitioner submits that vide order dated 17.08.2019 passed by a Coordinate Bench of this Court, the Director General, Medical Education and Research Department, Panchkula, was directed to be present in the Court on the adjourned date to explain why the action should not be taken against him for not complying with the directions of this Court contained in order dated 25.09.2018 (Annexure P-7). He also drawn the attention of this Court towards the order dated 26.08.2019, wherein the petitioner was provisionally directed to appear before the Interview Committee and submit documents for verification for the post of Professor and thus, now at this stage with a *mala fide* intention, the advertisement only qua the post of Professor (Chest & TB) has been withdrawn, whereas 30 different posts were advertised and this action of the Director General, Medical Education and Research Department, Panchkula, is uncalled for.

I have heard the learned counsel for the parties and have also gone through the case file.

Since the advertisement qua post of Professor (Chest & T.B.) has already been withdrawn by public notice in two Daily Newspapers on 20.07.2022, the present petition has become infructuous.

In view of the above, the petition is disposed of as having been rendered infructuous with liberty to the petitioner to avail alternate remedy as per law.

(HARNARESH SINGH GILL)
JUDGE

28.02.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No