

(205)

2023:PHHC:070138

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

CWP No.26010 of 2014

Date of decision : 15.05.2023

Pooja Sharma

...Petitioner

Versus

Punjabi University and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Divyadeep Walia, Advocate
for the petitioner.

Mr. A.S.Sethi, Advocate for respondent No.1.

PANKAJ JAIN, J. (ORAL)

By way of present writ petition filed under Article 226/227 of the Constitution of India, petitioner prays for issuance of a writ in the nature of certiorari quashing the selection of respondent No.3 as '*Instructor*' in Computer Science in the Sports Category being lower in merit than the petitioner.

2. The respondent-University vide public notice dated 31.08.2014 (Annexure P-3) invited applications for contractual appointments in various colleges including that in Computer Science. The posts advertised were in the cadre of Assistant Professor, however, there was a stipulation in the public notice itself that in case the eligible candidates, as per UGC norms, are not available, the candidates shall be considered for the post of '*Instructor*' by relaxing the UGC qualification of NET/PH.D.

3. The petitioner also participated in the selection process. The assessment by the Selection Committee for '*Instructor*' in Computer Science

has been placed on record as Annexure R-1/2, wherein the petitioner has been placed at serial no.14 whereas respondent No.3 has been placed at serial no.13.

4. The sole argument raised by Mr.Walia, learned counsel for the petitioner is that the petitioner being more meritorious sports person in possession of Gradation C Certificate was entitled to be appointed vis-a-vis respondent No.3, who was in possession of D Grade Certificate. However, he does not dispute that the petitioner lower was in merit to respondent No.3.

5. I have heard counsel for the parties and have gone through records of the case.

6. The certificates of gradation merely govern the eligibility to compete in Sports Category and would be material in case the persons equal in merit are competing. Herein, admittedly the petitioner was lower in merit to respondent No.3. Thus, he cannot claim the benefit of the said gradation.

7. In view of the above, no ground is made out to interfere in the present writ petition and the same is hereby dismissed.

May 15, 2023

Anjal

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No