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

CM-1362-CWP-2023 and
CM-1363-CWP-2023 in/and
CWP-19335-2022 (O&M)
Date of decision : 31.01.2023

Paul Rajeeve McMullen

...Petitioner

Versus

Panjab University, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Harkirat Singh Ghuman, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

CM-1362-CWP-2023

Application is allowed, as prayed for.

CM-1363-CWP-2023

This is an application filed under Section 151 of CPC for listing the abovementioned case which has been adjourned sine die by this Court.

For the reasons stated in the application, the same is allowed and the main case is taken up on Board today itself for final disposal.

Main case

This is a Civil Writ Petition filed under Article 226 read with Article 227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to appoint examiners to evaluate the

Ph.D. thesis and conduct viva voce examination in respect of the petitioner as per UGC (Minimum Standards and Procedure for award of M.Phil/Ph.D. Degree) Regulation, 2009. Further prayer has been made in the present Civil Writ Petition for issuance of directions to respondent Nos.1 to 3 to assign a new Guide/Supervisor for his Ph.D. programme, since his earlier Guide/Supervisor i.e. respondent No.4 has retired.

Learned counsel for the petitioner has submitted that for the grievances which have been detailed in the present Civil Writ Petition, the petitioner has given a representation/legal notice dated 02.04.2022 (Annexure P-10) to respondent No.3 and other officials respondents of the University and since, the said representation/legal notice was also given to Chancellor thus, vide letter dated 18.04.2022 (Annexure P-11), the same was forwarded to the Vice Chancellor, Panjab University, Chandigarh. It is contended by learned counsel for the petitioner that it is respondent No.3 who has to take decision on the said representation.

Learned counsel for the petitioner has also submitted that the petitioner would be satisfied in case, respondent No.3 considers representation/legal notice dated 02.04.2022 (Annexure P-10), in accordance with law and takes appropriate action in law. It is further submitted that the petitioner would not press his averments/allegations qua harassment with respect to respondent No.4 and has stated that the said representation/legal notice dated 02.04.2022 (Annexure P-10) would be considered in the light of the fact that respondent No.4 has retired.

Keeping in view the abovesaid facts and circumstances and also

in view of the prayer made by learned counsel for the petitioner, the present Civil Writ Petition is disposed of with direction to respondent No.3 to consider representation/legal notice dated 02.04.2022 (Annexure P-10) as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of the present order, in accordance with law.

It is clarified that this Court has not opined on the merits of the claim made by the petitioner and respondent No.3 would independently considers the same, in accordance with law.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

31.01.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No