

218

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29763-2018

Date of Decision:28.07.2023

SARASVATI YADAV AND ORS

..... Petitioners

Versus

NATIONAL INSTITUTE OF TECHNOLOGY KURUKSHETRA
AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Anurag Goyal, Advocate
for the petitioners.

Mr. A.S. Virk, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. On 26.11.2018, the following order was passed:

“Learned counsel for the petitioners inter alia contends that the impugned order dated 22.05.2018 Annexure P-10 whereby the petitioners have been found to be ineligible candidates for the posts of Associate Professor was challenged by way of a Writ Petition No.18805-2018 wherein the following order was passed:-

“Accordingly, the present writ petitions are being disposed of with the directions to the respondents:-

(1) To consider all the candidates, who have applied for the post of Associate Professors in response to the advertisement No. 3/2018 (Annexure P/7) and decide their eligibility strictly in accordance with the advertisement and clarifications issued by MHRD on different

dates regarding eligibility of the candidates and evaluating the Credit Points and to complete the selection process.

(2). It is made clear that the petitioners will be well within their rights to challenge the final list, if aggrieved and the appointments so made by the NIT shall be subject to the points raised in the writ petition.”

The said order was assailed by way of LPA Nos.1482-1493 of 2018 which is stated to be pending for 17.01.2019 before Division Bench. Following interim order has been passed by the Division Bench in the said LPAs:-

“The selection process for the appointment on the posts of Associate Professors may go on but no final result be published without leave of the Court.”

followed by another order dated 20.11.2018 which is reproduced herein-below:-

“Considering the facts and circumstances, the appellants are permitted to appear in the selection process provisionally and the result be kept in a sealed cover and shall abide by final outcome of the litigation.”

Learned counsel for the petitioners contends that in view of the orders passed by the learned Single Judge whereby a direction was issued that the respondents were to consider all the candidates who had applied for the post of Associate Professors which also includes the petitioners but without deciding on the eligibility for the said post of Associate Professor, the petitioners are being denied the chance to participate in the selection process as the interview process is stated to commence from 27.11.2018. Keeping in view the submissions made herein-above, the respondents are directed that in accordance with the orders passed by this Court (supra), petitioners shall also be

permitted to appear in the selection process/interview provisionally and the result be kept in sealed cover as already directed by this Court vide order dated 20.11.2018.

Notice of motion returnable for 01.02.2019.

Copy of this order be given to learned counsel for the petitioners under the signatures of Bench Secretary.”

2. Learned counsel for the respondent at the outset submits that pursuant to order passed by Division Bench, the result was opened and petitioners were not recommended for the posts, thus, present petition has rendered infructuous.

3. Learned counsel for the petitioners submits that petition in view of statement of learned counsel for the respondents may be disposed of.

4. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

28.07.2023
Ali

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>