

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 1128 of 2022 (O&M)

Date of Decision: 24.01.2023

Parveen Punia

.....Appellant

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present : Mr. D.S.Patwalia, Senior Advocate with
Ms. Sehar Navjeet Singh Sandhu, Advocate, for the appellant.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

Mr. Rajesh Hooda, Advocate, for respondent No.3.

Mr. Salil Sabhlok, Advocate, for respondent-UGC.

Mr. Amit Rao, Advocate for
Mr. Anurag Goyal, Advocate, for respondent No.6.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This appeal has been filed by the appellant being aggrieved by an order and judgment dated 07.11.2022 passed by the learned Single Judge in Civil Writ Petition No. 2510 of 2017 (being the lead case) and other connected matters.

Learned senior counsel for the appellant submits that the learned Single Judge vide the impugned order and judgment set-aside the decision of the respondent-State dated 06.01.2017, vide which the candidates, who possessed Post Graduate degree in Genetics or Human Genetics, were treated eligible for appointment to the post of Assistant Professor in Zoology/Botany and consequently the selection of the appellant was also set-aside being contrary to the rules as also the terms and conditions of the advertisement dated 16.02.2016.

Learned senior counsel for the appellant submits that there were documents on record which indicate that the expert body of the authorities

had examined the matter and declared the qualifications possessed by the

appellant to be equivalent to the qualifications notified in the advertisement. The appellant has also filed a Civil Miscellaneous Application No. 2740-LPA of 2022 in this appeal for bringing on record documents Annexures A-1 to A-13 in support of his submissions and has also placed reliance on document Annexure R-2/1 filed by the respondents wherein the Assistant Director (Admission) had taken a decision to the effect that the qualifications were equivalent. A separate ground in this regard has also been taken in this appeal.

Having heard learned counsel for the appellant, it is observed that the question as to whether the documents, that are being relied upon by the appellant and are sought to be placed on record through CM No. 2740-LPA of 2022, were part of the record or not and whether or not they were brought to the notice of the Court during the hearing, are the issues that can be looked into by the learned Single Judge, who heard the matter. Likewise, the question as to whether the document Annexure R-2/1, upon which the reliance is sought to be placed, was brought to the notice of the learned Single Judge or not, is also not borne out from the record.

In the circumstances, we consider it expedient and appropriate, the appellant, if aggrieved by the order passed by the learned Single Judge, moves an application before the learned Single Judge for review/appropriate orders by bringing all these facts to the notice of the Court.

With the aforesaid observations, the appeal filed by the appellant stands disposed of. Pending applications, if any, stand disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.01.2023
ravinder

Whetherspeaking/reasoned	√Yes/No
Whetherreportable	Yes/No√