

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CWP-75-2021

Decided on : 19.04.2024

Dr. Sukhwinder Singh

. . . Petitioner(s)

Versus

Panjab University, Chandigarh and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. R.K. Malik, Sr. Advocate with
Mr. Sandeep Dhull, Advocate
for the petitioner(s).

Mr. Akshay Kumar Goel, Advocate
for respondents No.1 & 3.

Mr. R. Kartikeya, Advocate
for respondent No.2.

SANJAY VASHISTH, J. (Oral)

1. At the outset, Mr. Akshay Kumar Goel, Advocate, puts in appearance on behalf of respondent No. 3, and files his *Vakalatnama*, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

2. Petitioner – Dr. Sukhwinder Singh, has filed the present writ petition, challenging the office order dated 28.12.2020 (Annexure P-6), circulated by the office of Registrar, whereby, the Vice Chancellor, has designated Dr. Jatinder Kumar Goswamy, Professor as the Director, UIET for three years, w.e.f. 29.12.2020 to 28.12.2023.

3. Mr. R.K. Malik, learned Senior counsel for the petitioner refers to the order dated 06.09.2011 passed by the Registrar (Estt.), whereby, Dr.

Sukhwinder Singh, Professor (petitioner herein) was ordered to be absorbed/regularized in the University service from the date of his joining as professor on deputation basis i.e. 16.04.2009 at UIET.

4. Mr. R.K. Malik, learned Senior counsel produces another order dated 03.01.2024, in the Court today, whereby, Professor Sukhwinder Singh (petitioner herein) is shown to be absorbed/regularized with the University Institute of Engineering and Technology (UIET) w.e.f. 01.08.2011. Photocopy of the said order is taken on record. Registry is directed to tag the same at appropriate place in the paper-book.

5. By submitting the aforesaid facts, learned Senior counsel submits that he be permitted to withdraw the present writ petition. However, liberty be also afforded to file a fresh writ petition by challenging the order dated 03.01.2024, whereby, petitioner has been absorbed/regularized w.e.f. 01.08.2011.

6. At this stage, Mr. Akshay Kumar Goel, Advocate, for respondent No.1 – Panjab University and respondent No.3 – Registrar; Professor Yajvender Pal Verma, submits that vide order dated 21.11.2023, Coordinate Bench of this Court had dismissed the application for extension of time by imposing the cost of Rs.25,000/-. Even, regarding the conduct of the Registrar of the Panjab University, namely; Professor Yajvender Pal Verma (respondent No.3), a show cause notice, was also issued, as to why proceedings under Contempt of Courts Act, be not initiated against him for willful/intentional defiance of order dated 18.10.2023, passed by the Court.

By way of filing LPA No.1908 of 2023, both the aforementioned directions recorded by Hon'ble Single Bench were challenged, wherein, on 01.12.2023, following order was passed:-

“111 LPA-1908-2023 (O&M)

PANJAB UNIVERSITY, CHANDIGARH V/S DR.
SUKHWINDER SINGH AND ANR.

*Present: Mr. Akshay Kumar Goel, Advocate,
 for the appellant.*

Learned counsel for the appellant informs that pursuant to the direction given by this Court, process for conducting a meeting by the Panjab University has been initiated and the said meeting is scheduled to be held on 29.12.2023, which will be attended by 85 Members. The agendas have to be placed before those members.

It is not the case of appellant that it had not initiated the process of the meeting. The only grievance is that the information has to be given to 85 Members. In this backdrop, extension of time should not have been denied.

Notice of motion for 31.01.2024.

In the meantime, operation of the order dated 21.11.2023 qua dismissal of the application for extension of time, shall remain stayed. The appellant can proceed with the meeting, which is scheduled to be held on 29.12.2023.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE”

01.12.2023

Subsequent thereto, on 15.12.2023 also, following order was
passed:-

**“106 CM-5035-LPA-2023 in
 LPA-1908-2023**

PANJAB UNIVERSITY, CHANDIGARH V/S DR.
SUKHWINDER SINGH AND ANR.

*Present: Mr. Akshay Kumar Goel, Advocate,
 for the applicant-appellant.*

After hearing learned counsel for the applicant-appellant and keeping in view the fact that the meeting is scheduled to be held on 29.12.2023, the order dated 01.12.2023 passed by this Court is being modified and the show cause notice issued to Prof. Yajvender Pal Verma, Registrar, Panjab University, Chandigarh for initiating the

contempt proceedings is ordered to be kept in abeyance till the next date of hearing.

Adjourned to 31.01.2024.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

15.12.2023 ”

6. It is apprised that in view of the stay order passed by the Hon’ble Division Bench, both the interim orders are not in operation. Thus, he would not raise any objection, if the writ petition is allowed to be withdrawn, considering the prayer made by the petitioner.

7. **Dismissed as withdrawn with liberty** as sought by the petitioner herein-above.

Learned counsel for respondents No.1 & 3 would accordingly apprise the Division Bench dealing with LPA-1908-2023, about the today’s order passed by this Court.

(SANJAY VASHISTH)
JUDGE

April 19, 2024

J.Ram

Whether speaking/reasoned: ✓ Yes/~~No~~

Whether Reportable: ~~Yes~~/No ✓