



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-451-2024

DECIDED ON: 31.05.2024

AKANKSHA QAYUM

.....PETITIONER

VERSUS

UT CHANDIGARH AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: None for the petitioner.

Mr. Aman Bahri, Advocate,
for respondent Nos.1 and 2.

Mr. F.S. Dhillon, Advocate,
for respondent Nos.3 and 4.

SANJAY VASHISTH, J (ORAL)

1. Mr. Akshay Kumar Goel, Advocate, puts in appearance on behalf of respondent No.5, 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 in case file.
2. After hearing preliminary arguments, on 10.01.2024, following order was passed by this Court:-

*“Present: Mr. Vivek Sheoran, Advocate
for the petitioner(s).*

*Mr. Gagneshwar Walia, Advocate
for respondents No.3 & 4 – caveators.*

1. *Petitioner – Akanksha Qayum, has filed the present writ petition under Article 226 of the Constitution of India, for seeking direction to the respondents to allow the petitioner to participate in the interview process scheduled for 11.01.2024*

(tomorrow) against the regular post of Assistant Professor, History subject, published vide Advertisement dated 14.07.2023 (Annexure P-1).

2. Posts of Assistant Professors for different streams including the History subject, have been published by Sri Guru Gobind Singh College, Sector 26, Chandigarh (respondent No.3), and in pursuance thereto, petitioner has applied for the post of Assistant Professor in History subject.

3. From the advertisement, reference is made to the clause, wherein, it is mentioned that

‘the eligible candidates in accordance with the qualifications/conditions laid down by the UGC/NCTE/State Govt./Panjab University may send their applications to the **College** through Registered Post or in person within 30 days from the publication of the Advertisement to the College and a copy of the application be also sent to the Dean, College Development Council, Panjab University, Chandigarh.’

4. It is contended that being qualified, petitioner applied for the post of Assistant Professor (History subject), but till date, she has not received any interview call letter, though, process of interview has to start from 11.01.2024 (i.e. tomorrow).

5. Notice of motion.

6. At this stage, Mr. Aman Bahri, Addl. Standing Counsel, who is present in the Court, accepts notice on behalf of respondents No.1 & 2, Mr. Gagneshwar Walia, Advocate, accepts notice on behalf of respondents No.3 & 4. On asking of the Court, Mr. Akshay Kumar Goel, Advocate, accepts notice on behalf of respondent No.5 (Panjab University), and Mr. Hemen Aggarwal, Advocate, accepts notice on behalf of respondent No.6 (University Grants Commission).

7. Thus, service is complete. To be taken up at the beginning of second session of the day.

8. Matter is taken up at 2.00 P.M.

9. Mr. Akshay Kumar Goel, counsel appearing on behalf of respondent No.5 (Panjab University) informs the Court that a Committee of about 5 members was constituted on 08.01.2024, to examine the eligibility of the petitioner for the advertised post and after making lot of deliberations, Committee concluded that petitioner is not eligible for consideration for the post of Assistant Professor,

History which has been advertised by the college (respondent No.3).

10. *Counsel for the petitioner submits that till date, neither any interview call letter has been received by her nor there is any communication of rejection or acceptance of her application.*

He also informs the Court that the concerned college i.e. respondent No.3, for which the appointment is to be made, had already cleared the application of the petitioner after examining the criteria of eligibility and forwarded the same to the University in the month of August, 2023 itself. Thus, statement of the University that the petitioner is not eligible for consideration at the fag end, is nothing but prejudicing the rights of the petitioner.

11. *Counsel for respondent No.3 informs the Court that for eligible candidates to be considered for the purpose of interview, no separate interview call letters have been issued, rather, a list of about 27 candidates has been published who are to be interviewed in due course from 11.01.2024 onwards.*

12. *Taking note of all the facts and circumstances which have been submitted before this Court, it is directed that name of the petitioner be considered as having been included in the list already published, by the College (respondent No.3) or the Panjab University (Respondent No. 5) for the purpose of starting the process of interview. However, concerned respondent would be at liberty to publish a separate/afresh list before starting of the interview, by including the name of petitioner, provisionally.*

13. *Accordingly, petitioner herein would be allowed to join the process of interview and any such interview would be considered as a provisional interview which would be subject to the final decision of the present writ petition.*

14. *It is further directed that in case, petitioner is found suitable for the post, result be produced in a sealed cover before this Court on the next date of hearing.*

15. *It is further clarified that in case, petitioner is not found to be suitable for the post, though interviewed provisionally under the order of this Court, the suitable candidate can be offered the appointment.*

16. *Adjourned to 09.02.2024.”*

3. Counsel for respondent No.5 – Panjab University informs the Court that during the pendency of the present writ petition, proceedings of the interview could not be finalized because of the withdrawal/cancellation of the advertisement, itself.

Thus, he prays for disposal of the present writ petition, as the same has been rendered infructuous.

4. Accordingly, present writ petition stands disposed off, as having been rendered infructuous.

5. Since, counsel for the petitioner is not present today, liberty is granted to him to move an appropriate application for seeking revival of the present writ petition, within a period of 8 weeks, if any cause of action still survives.

6. Disposed off.

31.05.2024
Lavisha

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No