

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

2024:PHHC:108745



**CWP-18043-1997 (O&M)  
Date of Decision: 20.08.2024**

**SURAJ BHAN**

**...Petitioner**

**Vs.**

**MAHARSHI DAYANAND UNIVERSITY AND ANR**

**...Respondents**

**CORAM:- HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Ms. Parbeen Dhanwal, Advocate for  
Mr. Gunjan Mehta, Advocate for the petitioner.

Mr. Vikrant Sharma, Advocate  
for respondent no.1/University.

Ms. Tanushree Gupta, DAG, Haryana.

**TRIBHUVAN DAHIYA, J. (Oral)**

This petition has been filed, *inter alia*, seeking a writ of *mandamus*, directing the respondents to allow the petitioner to work as Junior Storekeeper, pursuant to the appointment letter dated 10.05.1996, Annexure P-2.

2. Learned counsel for the University contends that after issuance of appointment letter dated 10.05.1996, the State Government vide order/instructions dated 12.05.1996, Annexure R-1/1, directed the University to keep all vacant posts in teaching/non-teaching cadre in abeyance till further orders; and vide memo dated 12.05.1996, Annexure R-1/2, it was clarified that this order would cover even cases where selections had been made or appointment letters had been issued, but the appointee had not joined service. Later, vide letter/communication dated 03.06.1996, Annexure R-1/3, the instructions received from the State Government were conveyed to the petitioner, informing that it was not



possible to allow him to join service in the University. In these circumstances, the petitioner could not join the service; and he cannot be permitted to do so now. A similar issue has already been dealt with by this Court in CWP No. 663 of 1997 titled *Bishambar Dayal v. Maharishi Dayanand University Rohtak and others*, decided on 24.11.1997, holding that the University is bound to follow the instructions issued by the State Government directing not to fill up the posts. He further contends that even the letter/communication dated 03.06.1996, whereby the petitioner was not permitted to join service, has not been challenged by him.

3. Learned counsel for the petitioner is not in a position to dispute the facts aforementioned.

4. In view of the undisputed facts on record, the petitioner is not entitled to work on the post of Junior Storekeeper.

5. Dismissed.

6. Pending miscellaneous application(s), if any, shall stand(s) disposed of as having been rendered infructuous.

(TRIBHUVAN DAHIYA)  
JUDGE

20.08.2024

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