

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 207

CWP No.10003 of 2013
Date of Decision: 16.04.2024

Sunil Kumar
..... PETITIONER(S)
VERSUS

Ch.Charan Singh Haryana Agricultural University, Hisar and others
..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

PRESENT: - Mr. Tushar Gera, Advocate for
Mr.Jagdeep Singh Rana, Advocate for the
petitioner.

Mr.Aman Pal, Advocate for the respondents
No.1 and 2.

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Tribhuvan Dahiya, J (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* setting aside the selection and appointment of third respondent on the post of Assistant Professor Sociology vide letter dated 07.04.2011, Annexure P-10; and a direction to consider the petitioner for appointment against the said post with all consequential benefits.

2. Learned counsel for the petitioner has contended that the appointment is bad in law on two counts; firstly, during the selection, the third respondent was wrongly awarded five marks for publication, though it was mentioned in her application form itself that four research papers of hers had been sent for publication. At the time of considering her candidature, the said papers had not been published and, accordingly, marks could not have been assigned for the same. Secondly, he has contended that the third respondent has been wrongly given ten marks for experience on the basis of certificates Annexures P-6 and P-7, which only show she has worked as Women Facilitator. This is incorrect since as per information provided by the University's Registrar to the petitioner, there was no post of Women

Facilitator in the University. Accordingly, marks could not have been assigned to her on that basis either.

3. Learned counsel for the University, on the contrary, points out that both the objections taken by learned counsel for the petitioner are not sustainable. Firstly, it is a matter of fact that four research papers of the third respondent had been published in international/national Journals which were shown in original to the Selection Committee at the time of interview; copies of the same have been appended to the written statement as Annexure R-1. Secondly, he has contended that the third respondent had experience of working as Women Facilitator in a Central Sector Scheme “Women in Agriculture”, Government of India, Ministry of Agriculture, Department of Agriculture and Cooperation, Krishi Vistar Bhawan, IASRI Complex, PUSA, New Delhi, under the supervision of Director, Extension Education of the University from 28.06.1997 to 31.03.2002 and from 31.10.2002 to 28.03.2003. Copies of letters and certificates to that effect, along with budget estimates for the year 2004-05, have been placed on record as Annexure R-3. Since she worked as Women Facilitator in the aforesaid Scheme, absence of such a post in the University is inconsequential and her experience cannot be called in question on that basis. For this work experience of more than five years, the third respondent was rightly given ten marks by the Selection Committee as per the laid down criteria.

4. Heard.

5. The facts regarding the published research papers of the third respondent as well as her experience as Women Facilitator in a Central Government sponsored Scheme under the supervision of Director, Extension Education of the University, have not been disputed by the petitioner by filing any counter affidavit, or bringing any other documentary evidence on

record. It is also not in dispute that as per the criteria for selection, the candidates were entitled to five marks for publication in the relevant field and five marks for quality of publication. Similarly, they were entitled to ten marks, i.e., two marks for each year’s experience (after Master’s Degree) in Teaching, Research or Extension in the cadre of Instructor including temporary appointments as Research Associate/Training Associate/Technical Assistant/Assistant Professor, STA, Research Fellow. Following the criteria and upon assessment of quality of research papers, the third respondent was awarded five marks for publication and three for quality of publication. Likewise, considering her five years’ experience in Extension, as also for offering courses to post graduate students while working as Women Facilitator in the Scheme under the Director, Extension Education, she was given ten marks for experience. No illegality or irregularity could be pointed out in assigning marks by the Selection Committee, which was an expert body competent to assess and evaluate research work of candidates and also to consider relevance of the experience gained, for award of marks. Accordingly, no exception can be taken to the selection of third respondent.

6. In view the reasons recorded above, there is no merit in the petition and it stands dismissed.

(Tribhuvan Dahiya)
Judge

April 16, 2024
Meenu

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>