

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

244

CWP-14856-2016
Date of Decision: 20.01.2024

Gaganpreet Walia

.... Petitioner

Versus

Panjab University and others

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Gautam Pathania, Advocate
for respondents No.1 and 2.

Mr. Gagneshwar Walia, Advocate
for respondents No. 4 to 6.

SANJAY VASHISTH, J.(Oral)

1. By way of present writ petition, petitioner-Gaganpreet Walia has sought quashing of the letter/communication dated 02.06.2016 (Annexure P-25) passed by respondent No.5, vide which respondent college has re-submitted the case of respondent No.7 for reconsideration for appointment to the post of Assistant Professor in English subject.

2. It has been pleaded in the writ petition that infact prior to the re-submission of considering the case for appointment of respondent No.7, her appointment had been cancelled and withdrawn by the same college vide order dated 24.02.2016 (P-20). Even, said

cancellation/withdrawal of the appointment of respondent No.7-Dr. Sarabjit Kaur was challenged by Dr.Sarabjit Kaur before the High Court by filing CWP No.25302 of 2015, which was dismissed vide order dated 22.12.2015 (Annexure P-14).

3. Although, there is no representation on behalf of the petitioner, yet counsel appearing on behalf of respondents No.4 to 6 apprised the Court by referring the affidavit dated 31.01.2023 of Mr. Karandeep Singh Cheema, Joint Secretary, Sikh Educational Society, filed on behalf of respondents No. 4 to 6, that respondent No.6 vide its order dated 24.02.2016 has already cancelled the appointment of respondent No.7- Dr. Sarabjit Kaur under the grant-in-aid Scheme and said order has also been appended with the affidavit.

4. Learned counsel for respondents No. 4 to 6 further states that after cancellation of the appointment of respondent No.7-Dr. Sarabjit Kaur, a fresh advertisement was made and the selection on the post of Assistant Professor in English has been made and a suitable candidate otherthan respondent No.7, has already been appointed. Therefore, counsel submits that neither any cause of action survives with the petitioner regarding the challenge to the appointment of respondent No.7-Dr. Sarabjit Kaur; nor the facts which have taken place, after filing of the present writ petition are part of the pleadings herein.

5. In view of the facts and circumstances submitted and as narrated in the affidavit dated 31.01.2023 filed on behalf of

respondents No. 4 to 6, this Court does not find any reason to continue with the proceedings of the present writ petition, thus, in the absence of survival of any cause of action, same is disposed of.

However, liberty is granted to the petitioner to file a fresh petition, in case any cause of action still survives or accrues because of the subsequent development, by detailing the facts therein.

January 20, 2024

rashmi

Whether speaking/reasoned

Whether reportable?

[SANJAY VASHISTH]

JUDGE

yes/no

yes/no