



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

CWP-4072-2014

Date of Decision: 04.12.2024

**Dr. LAKHWINDER SINGH AND ANOTHER ... PETITIONERS
VS.
GURU NANAK DEV UNIVERSITY AMRITSAR AND ANOTHER
.. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Adish Jain, Advocate for
Mr. Naresh Jain, Advocate, for the petitioners.

Mr. Ankush Sharma, Advocate for
Mr. M.K.Dogra, Advocate, for the respondent(s).

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present petition, the prayer of the petitioners is that the respondents have merged two departments to create department of Commerce and Business Management, which act on the part of the respondents is arbitrary and illegal.

Learned counsel for the petitioners submits that the said decision to merge the department cannot be taken by the University without there being any recommendation or any proposal and therefore, the said action is liable to be set aside.

Upon notice of motion, the respondents have filed the reply wherein, the respondents have stated that two existing departments have been brought under the control of one department i.e., Commerce and Business Management department.

Learned counsel submits that two departments were running

different courses such as Post Graduation in Commerce as well as the

Masters in Business Administration, which departments have been brought under one umbrella with the name of the department as Commerce and Business Management department and therefore, no grievance can be raised by the petitioners.

I have heard learned counsel for the parties and gone through the record with their able assistance.

The management of the University and the decision to bring two departments under one department or to bifurcate, is the function of the employer keeping in view the requirement and for efficient working of the department concerned. Unless and until, it is shown to the Court that the said action is arbitrary or illegal or contrary to any statute of the University or is *mala-fide*, the Court will interfere. Further petitioners are requested to show any prejudice cause to them to merge two departments.

In the present case, no such argument has been raised by the learned counsel for the petitioners. In the absence of such argument, the decision taken to bring two departments under one umbrella for the smooth functioning cannot be held to be arbitrary and illegal. It may be noticed that as a matter of fact, in the Punjab University also, the department having Post Graduation Commerce as well as Master of Business Administration runs under one umbrella and the same is functioning very smoothly and therefore, no ground is made out to for any interference by this Court qua the prayer made in the present petition.

Dismissed.

04.12.2024
smriti

(HARSIMRAN SINGH SETHI)
JUDGE