



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

CWP-32539-2024

Date of Decision: 03.12.2024

Dr. Mahesh Chandra

....Petitioner

Versus

Union of India and Others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Puneet Gupta, Advocate and
Mr. Anil Rana, Advocate
for the petitioner.

Mr. Dharam Chand Mittal, Senior Panel Counsel,
for respondents No.1 and 2.

Mr. Aman Pal, Additional Standing Counsel,
for respondents No.4 to 7.

VIKRAM AGGARWAL, J.

1. The petitioner (Dr. Mahesh Chandra) is essentially aggrieved of his prayer for interim relief made in OA No.975 of 2024 titled as 'Dr. Mahesh Chandra Vs. Chandigarh Administration and Others' preferred before the Central Administrative Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal') not having been decided and has accordingly prayed for the following substantive relief:-

"Civil Writ Petition under Articles 226/227 of the Constitution of India for the issuance of appropriate writ, order or direction especially in the nature of Certiorari quashing the impugned interim orders dated 03.09.2024 (Annexure P-2), dated 12.09.2024 (Annexure P-3), 30.09.2024 (Annexure P-7), 04.10.2024 (Annexure P-8) and 18.11.2024 (Annexure P-11) respectively whereby the legal and valid claim of the petitioner for restraining the respondents from taking further action for appointment to the post of Assistant Professor (Urology) in pursuance to the impugned Advertisement dated 25.05.2024 during the pendency of the Original Application has not



CWP-32539-2024

-2-

been considered despite the fact the advertisement dated 25.05.2024 is in stark contravention of the Union Territory of Chandigarh Employees (Conditions of Service) Rules, 2022 and issued under the pre-existing rules and in similar circumstances the interim relief already stands granted by the Division Bench of this Hon'ble Court in CWP No.3054 of 2023 "Dr. Rajeev Kumar Kansay versus Chandigarh Administration and others" as detailed in the writ petition and any other order or direction to which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, may also be granted in favour of the petitioner.

2. Learned counsel representing the petitioner has drawn our attention to the orders dated 03.09.2024 (Annexure P-2), 12.09.2024 (Annexure P-3), 30.09.2024 (Annexure P-7), 04.10.2024 (Annexure P-8) and 18.11.2024 (Annexure P-11). He submits that despite the Tribunal having noticed the contention of the petitioner and his reliance upon the order dated 15.02.2023 passed by a Co-ordinate Bench of this Court in CWP No.3054 of 2023 titled as 'Dr. Rajeev Kumar Kansay Vs. Chandigarh Administration and Others', the prayer for interim relief to restrain the respondents therein from taking further action in pursuance to the advertisement dated 25.05.2024 has not been decided. He submits that interviews for the post of Assistant Professor (Urology) are scheduled for 09.12.2024 and it is on this very date that the matter is listed before the Tribunal. He submits that on account of the prayer for interim relief not having been decided, the interest of the petitioner continues to suffer and if selections are made, the original application shall be rendered infructuous.

3. Mr. Dharam Chand Mittal, Senior Panel Counsel has caused appearance on behalf of respondents No.1 and 2 and Mr. Aman Pal, Additional Standing Counsel has caused appearance on behalf of the respondents No.4 to 7 on advance copy having been served.

4. We have heard learned counsel for the parties.



CWP-32539-2024

-3-

5. During the course of arguments, a consensus has been arrived at. Learned counsel for the respondents submit that the petitioner, if so advised, may move an application for preponement of the matter which shall not be opposed by the respondents and in case the Tribunal deems it appropriate, it may prepone the matter. Learned counsel further state that in any case, the prayer for interim relief shall be decided on or before 09.12.2024 so that the interest of the petitioner does not suffer.

6. Learned counsel representing the petitioner is agreeable to the aforesaid course suggested by learned counsel representing the respondents and submits that the writ petition be disposed of in the said terms.

7. Accordingly, the writ petition is ***disposed of*** in terms of the statements given by learned counsel for the parties binding them to the same.

8. Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated above, the Tribunal shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

03.12.2024
Prince Chawla

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