



In the High Court of Punjab and Haryana at Chandigarh

[201]

CWP-3034-2023

ASHWANI SONI PETITIONER
VERSUS

CHANDIGARH ADMINISTRATION AND OTHERS
.....RESPONDENTS

CWP-3054-2023

DR. RAJEEV KUMAR KANSAY PETITIONER
VERSUS

CHANDIGARH ADMINISTRATION AND OTHERSRESPONDENTS

Date of Decision: 01.12.2025

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Yogesh Putney, Senior Advocate assisted by
Mr. Kuber Viswas, Advocate for the petitioner(s)
in both cases.

Mr. Sumeet Jain, Addl. Standing Counsel with
Ms. Nidhi, Junior Standing Counsel for
respondents No.1 and 2-Chandigarh Administration in both cases.

Mr. Sanjeev Kaushik, Advocate and
Ms. Mannat Kaur, Advocate for respondent No.3-UPSC
in both cases.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. The challenge in the present writ petitions is to the interim order(s) dated 10.02.2023(Annexure P-12) passed by respondent No.4-Central Administrative Tribunal, Chandigarh Bench, Chandigarh (hereinafter referred to as “the Tribunal”) in OA-52-2023.
2. Short reply dated 01.12.2025, by way of an affidavit of Director Chandigarh Administration, Department of Medical Education and Research(GMCH) Govt. Medical College and Hospital, Sector-32, Chandigarh, has been filed on behalf of respondents No.1 and 2 in both cases. The same are taken on record.

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3. Learned Senior Counsel appearing for the petitioners argues that after the notification issued by the Government of India dated 29.03.2022, the Punjab Rules cannot be made applicable while making the recruitment to the post which exists with the Union Territory, Chandigarh and Central Government Rules, are to be made applicable.

4. Learned counsel appearing on behalf of respondents No.1 and 2-Chandigarh Administration submits that the Central Government Rules will be made applicable as per the notification dated 29.03.2022 only in case where U.T. Chandigarh has not framed the rules governing the post(s) already. In case there are rules already specified according to which the posts are filled by Chandigarh Administration, the same rules will be made applicable.

5. Learned Senior Counsel appearing on behalf of the petitioners submits that despite the said stand, the rules which are governing the State of Punjab are being made applicable in pursuance to the advertisement dated 13.12.2022, which is incorrect.

6. Learned counsel for respondents No.1 and 2-Chandigarh Administration further submits that the notification dated 14.02.2003, by which, the Rules titled "*Government Medical College and Hospital, Chandigarh, Professor (Orthopaedics), Reader (Orthopaedics) and Senior Lecturer (Orthopaedics) (Group 'A' Gazetted Posts) Recruitment Rules, 2002*", which have been framed by the Chandigarh Administration will be made applicable and neither the Punjab Rules or the Central Government Rules are to be made applicable in the present case.



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7. Learned Senior Counsel appearing on behalf of the petitioners submits that the post of Associate Professor does not exists in 2003 Rules.
8. Learned counsel for respondents No.1 and 2-Chandigarh Administration also submits that post of the Reader has already been re-designated as Associate Professor, hence, the qualification mentioned for the said post, will be taken into consideration for making appointment to the post of Associate Professor.
9. Learned Senior counsel for the petitioners submits that keeping in view the statement of respondents No.1 and 2-Chandigarh Administration, the present writ petitions may kindly be disposed having not pressed any further, with liberty to agitate all the claims before the Tribunal, where the main original application is pending.
10. The interim order passed by the Coordinate Bench stands vacated, however, in case the petitioner(s) is/are aggrieved in any manner for continuance of the selection process, they can avail appropriate remedy before the appropriate forum.
11. The Tribunal is requested to decide the main application as expeditiously as possible within a period of three months of the next date of hearing in case the pleadings are already completed.
12. Ordered accordingly.
13. A photocopy of this order be placed on the file of another connected abovementioned case.

(HARSIMRAN SINGH SETHI)
JUDGE

(ROHIT KAPOOR)
JUDGE

December 01, 2025