

CWP-15592-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-15592-2024

Date of Decision: 08.01.2025

Dr. Ranjana Bhardwaj

...Petitioner

Versus

Panjab University and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Damanjeet Singh Batalvi, Advocate for the applicant

Mr. Indresh Goel, Advocate for respondent Nos.1 and 2

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of appointment letter dated 28.01.2020 (Annexure P-5) whereby respondent Nos.3 & 4 have been appointed as Guest Faculty in the Department of Ancient Indian History, Culture and Archaeology of Panjab University.

2. The petitioner claims that she was more qualified and meritorious than respondent Nos.3 and 4 still she was not selected. The respondent, acting in an arbitrary and whimsical manner, has appointed respondent Nos.3 and 4 as Guest Faculty in the Department of Ancient Indian History, Culture and Archaeology of Panjab University.

3. Written statement filed by respondent Nos.1 and 2 is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned counsel for respondent Nos.1 and 2 submits that there is no infirmity in the selection process. The other candidates were found more suitable and it is settled proposition of law that Courts cannot look into

opinion formed by Selection Committee unless and until there is gross

violation of prescribed procedure or there is allegation of *mala fide*. The respondent No.4 resigned in 2022. A fresh advertisement was issued and another candidate was selected. The petitioner did not participate in the fresh advertisement.

5. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

6. From the perusal of record, it is evident that respondent Nos.3 and 4 were appointed in 2020 and a period of four years has expired since their appointment. Respondent No.3 is working since then and respondent No.4 resigned in 2022. Another candidate was selected after following regular process. The petitioner, as per its wisdom, did not participate in the selection process conducted in 2022. It is settled law that Courts cannot substitute opinion of Selection Committee unless and until there is gross violation of rule of law. There is nothing on record disclosing that Selection Committee has committed any infirmity in the selection process.

7. In the wake of above discussion and findings, this Court is of the considered opinion that present petition *sans* merit and deserves to be dismissed and accordingly dismissed.

8. It is made clear that dismissal of instant petition would not inhibit the respondent to consider the petitioner as and when fresh appointments are made.

(JAGMOHAN BANSAL)
JUDGE

08.01.2025
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No