2025:PHHC:079170

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.

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CWP-17970-2025 (O&M).
Date of Decision: 04.07.2025.

DR. RAJESH KUMAR AGGARWAL

... Petitioner(s)

Versus

CENTRE FOR RESEARCH IN RURAL AND INDUSTRIAL DEVELOPMENT (CRRID) AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Amrish Kumar Jain, Advocate, with
Mr. Shivam Jain, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Challenging the selection process for appointment to the post of RBI Chair Professor, initiated by respondent No.1—Centre for Research in Rural and Industrial Development (hereinafter referred to as CRRID), pursuant to the advertisement dated 21.05.2025 on the ground that the petitioner has not been called for the interview conducted by the Selection Committee despite possessing the requisite eligibility criteria, the instant petition has been filed. Further prayer has also been made by the petitioner that respondent No.1–CRRID be directed to consider his claim for promotion as Professor with effect from 10.09.2012, and that, in the event of such claim being accepted, the petitioner would fulfill the eligibility requirements

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prescribed in the advertisement issued by respondent No.1–CRRID as a recruiting agency on behalf of the employer, namely, the Reserve Bank of India.

2 Learned counsel appearing on behalf of the petitioner has vehemently argued that the petitioner has served as Associate Professor after initially joining as Research Investigator on 23.09.1992 and thereafter as Research Officer on 09.09.1996. He has continued to work as Associate Professor with respondent No.1–CRRID since 10.09.2009 and had also held the additional charge of RBI Chair Professor for a period of six months from 25.08.2023 to 25.01.2024. He submits that, despite being eligible for the post of Professor as on 10.09.2012, respondent No.1 has neither accepted the petitioner's claim nor promoted or re-designated him to the post of Professor, thereby resulting in his exclusion from the zone of consideration. It is prayed that he ought to be re-designated as Professor after three years' of service and to be treated eligible for the post of RBI Chair.

3 I have heard the learned counsel appearing on behalf of the petitioner and have gone through the documents appended available on record.

4 Significantly and undisputedly, the respondent No.1-CRRID is only a Nodal Agency which has been authorised by the Reserve Bank of India for carrying out the selection process of RBI Chair Professor under Corporate Fund under its Corpus Fund scheme, for the purpose of research and higher level of learning in Monetary and Financial Economics, Banking and Real Sector Issues and related areas of interest of the Reserve Bank of India. The

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specialization and qualifications prescribed thereunder are extracted hereinafter below: -

> *"**Specialization**: Monetary and Financial Economics, Banking and Real Sector Issues, Regional Economy, Informal and Formal Credit and Financial Inclusion in the North-West Region and related areas of interest to RBI.*
>
> ***Qualification and Experience**: An eminent scholar/outstanding professional having a doctoral degree, actively engaged in research with 10 years of experience including 5 years as Professor in teaching and/or research at a university/national level institution including experience of guiding research at the doctoral level with outstanding performance and achievement in the field of specialization, and published work of high quality. Preference will be given to the candidate who is capable of expanding the scope of RBI Chair by inclusion of more projects/programmes at CRRID under the realm of RBI mandate."*

5 A perusal of the same reveals that the qualifications and experience prescribed by the employer, viz., the Reserve Bank of India, mandate that an applicant must be an eminent scholar or outstanding professional holding a doctoral degree and actively engaged in research, with ten years of experience, including five years as a Professor in teaching and/or research at a university or national-level institution, along with experience in guiding research at the doctoral level and a record of outstanding performance.

6 Undisputedly, the petitioner does not possess five years of experience as a Professor in teaching. In fact, the present petition is

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predicated upon the occurrence of a contingency, namely, the acceptance of the petitioner's claim for retrospective consideration and appointment as Professor with effect from 10.09.2012, when he claims to have become eligible, and a consequential direction to the respondents to consider his candidature for the post of RBI Chair Professor.

7 It is a settled position in law that the qualifications and experience required for a particular post are to be prescribed by the employer—in the present case, the Reserve Bank of India—and it is not within the prerogative of a candidate to dictate or determine the qualifications that ought to be prescribed by the appointing authority. Therefore, the requirement laid down by the employer can neither be dictated by the candidate nor substituted by a Court of law. Furthermore, the petitioner has failed to demonstrate that there exists any sanctioned post of Professor with respondent No.1–CRRID, or that at any point in time during the last thirteen years, any process for promotion or re-designation to the post of Professor was initiated by respondent No.1–CRRID, despite the petitioner's claim of eligibility for such promotion from the year 2012.

8 A specific query was put to the petitioner, in reference to the letter dated 11.07.2011 (Annexure P-1) issued by Ministry of Health and Family Welfare, as to whether the petitioner was an employee of CRRID or the Ministry of Health and Family Welfare, counsel failed to answer the question in relation to the nature of his engagement. There is also no response to the query as to whether a revised designation for pay would suffice the prescribed qualification of working as a professor. The petitioner prima facie

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was posted as a staff at disposal of Population Research Centre and only financial benefits at par with Professor have been extended and the same may not qualify as having served as a Professor or having been appointed to such post. There is also no explanation put forth as to why the petitioner never claimed the promotion over more than a decade since the issue of the letter in 2011 but there was no response to the same as well.

9 In my view, there can only be two possibilities i.e. firstly that the process for promotion/redesignation was initiated and the petitioner was not found suitable. There is no challenge to any such process or any decision taken by the CRRID at any point in time. Hence, for the said reason, the petitioner would not have any merit.

10 Secondly, the respondent–CRRID may have never initiated the process for filling up the post of Professor. Hence, a mere acquisition of an eligibility by the petitioner cannot, by itself, form a sufficient ground to issue a direction to the respondents to fill up a post that has remained unfilled. It is entirely within the prerogative and discretion of the employer whether to fill up a vacant post or to keep it unfilled. A writ of mandamus cannot be issued to compel the respondents to create an additional avenue for promotion (since the petitioner also failed to show whether any sanctioned post of Professor existed in CRRID or not) and thereafter to promote the petitioner to such a post. The present writ petition is, thus, founded on probabilities and conjectures. On such speculative grounds, the advertisement and the process of selection for filling up the post of RBI Chair Professor, at the instance of Reserve Bank of India, cannot be interfered with.

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Accordingly, the present writ petition is dismissed in limine.

July 04, 2025. **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

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

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