

2025:PHHC:133204-DB



LPA-2773-2025 (O&M)

Date of Decision: 24.09.2025

Central University of Haryana and others

...Appellants

Vs.

Dr. Monika and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Sanjay Kaushal, Sr. Advocate assisted by
Mr. Puneet Gupta, Advocate,
Mr. Anil Rana, Advocate for the appellants.

Mr. Raman Sharma, Advocate for respondents No.2 and 3.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of an interim order passed by the learned Single Judge dated 25.07.2025, whereby the order terminating the services of the respondent-writ petitioner on 07.05.2025, has been stayed. Thereafter, the matter has been adjourned to 02.08.2025; 18.08.2025; 03.09.2025 and 21.01.2026, wherein, interim order has been extended on each of these occasions.

2. Learned senior counsel for the University contends that there was an earlier litigation instituted before this Court challenging the appointment of the writ petitioner, wherein, a stay order was passed. The university took a stand not to abide by the selection of the writ petitioner and consequently the writ petition was disposed of. It is thereafter that the order of termination has been passed.

3. One of the questions that requires consideration is with regard to eligibility of the writ petitioner for appointment on the post of Associate Professor.

4. An objection is taken with regard to the maintainability of this appeal on the ground that the order impugned does not amount to a judgment and, therefore, the appeal itself would not be maintainable under Clause 10 of the Letters Patent Appeal. Learned counsel for the respondent also states that no contempt petition has so far been filed and, therefore, it is always open for the appellants to file an application for vacation of interim order.

5. Though various submissions are advanced by learned counsel for the parties, but we are not inclined to enter into the issues raised with regard to merits of the claim relating to the appointment of the writ petitioner when the writ petition itself is pending before the learned Single Judge.

6. In view of the stand taken by learned counsel for the respondents that contempt proceedings are not being initiated, we are of the view that the appropriate course available to the appellants would be to press for vacation of interim order or for disposal of the writ petition itself at an early stage. Liberty stands reserved to the appellants to move appropriate application for the purpose as also for preponement of date of hearing in the pending writ petition. We deem it appropriate to request the learned Single Judge to accord consideration to such prayer, by fixing an early date as per the convenience of the learned Single Judge.

7. The appeal stands disposed of with the aforesaid observations.

8. All pending misc. application(s), if any, also stands disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

24.09.2025
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1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No