



CWP-18031-2019 (O&M)

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

Sr. No.210

CWP-18031-2019 (O&M)

Date of decision: 19.05.2026

Gurbhej

..... Petitioner

VERSUS

Panjab University, Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present:- Mr. S.S. Bedi, Advocate, for the petitioner.

Ms. Alka Chatrath, Advocate and
Ms. Dhamanpreet Kaur, Advocate
for respondents No.1 to 5-University.

Mr. Ramesh Sharma, Advocate, for respondent No.6.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner is praying for issuance of direction to respondents No.1 to 4 to permit the petitioner to join on the post of Peon (Non-Teaching Staff) in respondent No.4-college in pursuant to the appointment letter dated 16.07.2018 (Annexure P-5).

2. The brief facts of the case are that respondent No.4-college issued an advertisement dated 08.02.2018 (Annexure P-1) calling the candidates for walk-in interview of non-teaching staff on daily wages at D.C. rates for the Constituent Colleges of Panjab University situated at Sikhwala, Sri Mukatsar Sahib and Mohkam Khan Wala, Ferozepur. In pursuance to the abovesaid advertisement, the petitioner applied for the



post of Peon in respondent No.4-college. The petitioner was called for interview on 10.02.2018 and he duly appeared in the interview. As per the petitioner, no result was declared by respondent No.4-college. It was only, in the month of December 2018 that it came to the knowledge of the petitioner that one candidate lower in merit to the petitioner has been appointed against the post of Peon in pursuance to the abovesaid advertisement dated 08.02.2018 (Annexure P-1). The petitioner sought information under the Right to Information Act, 2005 in regard to the appointment of respondent No.6 on the post of Peon. It transpires that only part information was supplied to the petitioner on 15.02.2019 under the RTI Act. As per the information supplied to the petitioner, the petitioner was placed at Sr. No.1 in the merit list with 57.7 marks, whereas, respondent No.6 who was offered appointment was lower in merit with 50.9 marks. In light of the abovesaid information supplied to the petitioner, the petitioner approached respondent No.4-college to permit him to join on the post of Peon as he was at Serial No.1 in merit list. However, no action was taken by respondent No.4-college in regard to the request made by the petitioner for appointment to the post of Peon, as a consequence, the petitioner has filed the present writ petition.

3. Learned counsel appearing on behalf of the petitioner submits that as per the merit list, the petitioner was at Sr. No.1. As such, the petitioner had a right of preference for appointment on the post of Peon over respondent No.6. It has also been contended by the learned counsel



appearing on behalf of the petitioner that the petitioner was never informed about his appointment to the post of Peon. In fact, whenever he inquired from respondent No.4-college regarding the appointment, no response was received. As, the petitioner was higher in merit, he is entitled to be appointed on the post of Peon in respondent No.4-college.

4. On the other hand, learned counsel appearing on behalf of the respondents No.1 to 5-University submits that in fact, the petitioner was a student of the respondent-college. She submits that in regard to issuance of appointment letter to the petitioner is concerned, the petitioner was duly informed through telephone and the same was also displayed on the notice board of the respondent-college. Learned counsel submits that as the petitioner did not join the respondent No.4-college and as respondent No.6 was at Serial No.3 in the waiting list, as such, he was offered appointment on the post of Peon.

5. After hearing the learned counsel appearing for the parties, in regard to the contention raised by the learned counsel appearing on behalf of the petitioner that the petitioner was never informed about his appointment through telephone or by any other means, as such, there is no fault on the part of the petitioner in not joining on the post of Peon in pursuance to the appointment letter issued in favour of him is concerned, it is a specific case of the respondent-University that the petitioner was duly informed through telephone and his appointment was displayed on the notice board of the respondent No.4-college. As the petitioner did not



join on the post of Peon, despite being intimated regarding his appointment, the respondent No.4-college had no option but to appoint candidate from the waiting list and subsequently, respondent No.6 was issued an appointment letter and was appointed accordingly on the post of Peon.

6. The issue for consideration in the present writ petition is as to whether the petitioner was informed telephonically or the appointment of the petitioner was displayed on the notice board of the respondent-college is concerned, the issue cannot be adjudicated as there are disputed question of facts involved which cannot be generally adjudicated in the proceedings before this High Court under Article 226 of the Constitution of India.

7. Hence, as disputed questions of facts are involved in the present case, this Court is not inclined to entertain the present writ petition and the same is accordingly, dismissed. However, liberty is granted to the petitioner to pursue any other appropriate remedy available to him as per the law, for redressal of his grievance.

8. Pending miscellaneous application(s), if any, also stands disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

19.05.2026

Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No