
(2009) 07 DEL CK 0278

In the Delhi High Court

Case No : Writ Petition (C) No. 23457 of 2005

Dr. Deepak Singh

APPELLANT

Vs

Vice Chancellor, Jawahar Lal Nehru University and Others

RESPONDENT

Date of Decision : 22-07-2009

Acts Referred:

Citation : (2009) 07 DEL CK 0278

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : K.K. Rai and B.K. Pandey, for the Appellant; S.C. Dhanda, for the Respondent

Final Decision : Dismissed

Judgement

Sunil Gaur, J.—Petitioner is a Doctorate from South East Asia School of Inter National Studies, Jawahar Lal Nehru University, New Delhi

and he had applied for the post of Associate Professor in the Department of South East Asia School of Inter National Studies, Jawahar Lal Nehru

University, New Delhi, in the year 1999. Petitioner had faced the interview for the above said post but he was not selected.

2. In the year 2003, Petitioner had again applied for the post of Associate Professor (Main Land) in South East Asia School of Inter National

Studies, Jawahar Lal Nehru University, New Delhi, and this time, Dr. Sankari, Respondent No. 4 was selected and was appointed as an

Associate Professor in the year 2003 itself.

3. On 19th January, 2004, Petitioner, through his father, had made Representation (Annexure P-2) to the Respondent, but to no avail. Petitioner

claims to be more meritorious than Respondent No. 4 and, in this petition, seeks

quashing of the appointment of Dr. Sankari - Respondent No. 4

as Associate Professor in the discipline in question and further direction to the Respondent to interview the Petitioner for the post of Associate Professor in the aforesaid discipline and to appoint him.

4. Respondent - University in its counter affidavit has refuted the claim of the Petitioner of being more meritorious than the selected candidate, i.e.,

Respondent No. 4 and has asserted that the essential qualification for appointment to the post of Associate Professor in the discipline of South

East Asia School of Inter National Studies, Jawahar Lal Nehru University, New Delhi, is five years teaching experience in this discipline, which

Petitioner did not possess and therefore, he was not selected. Rejoinder to the counter affidavit has been filed by father of the Petitioner and not by the Petitioner.

5. After having heard counsel for the parties and upon perusal of the material on record, I find that the Petitioner does not have a right to the

appointment to the post, but has the right to be considered for appointment to the post of Associate Professor in the discipline of South East Asia

School of Inter National Studies, Jawahar Lal Nehru University, New Delhi, and he has been duly considered for the said post. As per Petitioner's

own showing, he was called for the interview, but was not selected. The reason is obvious, i.e., the lack of teaching experience of five years, which

is an essential qualification for being appointed as Associate Professor in this discipline.

6. Since the Petitioner was not eligible for being appointed as Associate Professor in the discipline in question, therefore, the Petitioner does not

have any right for being appointed to the post of Associate Professor in South East Asia School of Inter National Studies, Jawahar Lal Nehru

University, New Delhi.

7. As regards the second prayer is concerned, there is no worthwhile challenge to the appointment of Respondent No. 4 to the aforesaid post.

Petitioner has failed to show that Respondent No. 4 was not eligible for being appointed to the post in question. In my considered view, this

petition lacks merit and therefore, the same is dismissed.

8. No costs.