

(2014) 05 P&H CK 0529
In the Punjab And Haryana At Chandigarh
Case No : CWP-1565-2013 (O&M)

Hari Singh Nagra

APPELLANT

Vs

The State of Punjab and Others

RESPONDENT

Date of Decision : 26-05-2014

Acts Referred:

Citation : (2014) 05 P&H CK 0529

Hon'ble Judges : Sanjay Kishan Kaul, C.J.;Arun Palli, J

Bench : Division Bench

Advocate : J.S. Toor, Advocate for the Appellant; Alok Jain, Additional Advocate General, Punjab for Respondents Nos. 1, 2, Mr. Anupam Gupta, Senior Advocate and Ms. Shruti Gupta, Advocate for Respondent No. 3, Advocate for the Respondent

Final Decision : Disposed Off

Judgement

Sanjay Kishan Kaul, C.J.—Learned senior counsel for the respondent-University has handed over in Court today a statement on behalf of the University which he submits can be incorporated as orders of the Court to put things in place. The same reads as under:-

1. That all service rules and regulations contemplated by the Baba Farid University of Health Sciences Act, 1998 will be drafted/finalized by the University and submitted to the Chancellor/State Government/Board of Management of the University for consideration and approval within a period of six months from the date of the High Court's order.

2. That (subject to para 5 below) all appointments, teaching and non-teaching, in the University and its constituent colleges will henceforth be made on the basis of selection by duly constituted Selection Committees in pursuance to advertisement in leading national newspapers as also on the University website. The eligibility criteria for the post(s) will be based on the norms/criteria, if any, laid down in the Baba Farid University of Health Sciences Act or by the relevant

Apex statutory bodies like the Medical Council of India/Dental Council of India/ Indian Nursing Council, or the State Government of Punjab.

3. In case eligible and/or suitable candidates for any post(s) are not available, the post(s) will be readvertised as aforesaid. In case eligible and/or suitable candidates are again not available, the post(s) will be readvertised for the third time. In case eligible and/or suitable candidates are still not available, the post(s) may be filled up on a contractual basis for a period not exceeding one year on the whole. On the expiry of one year, the process of advertisement as aforesaid will be taken up again.

4. That the staff, teaching and/or non-teaching, if otherwise eligible to compete in regular selection based upon advertisement (as per para 2 above), may be granted age relaxation by the University to enable them to compete for such regular selection/appointment.

5. That para 2 above will not apply to post(s) relating to functions and responsibilities of housekeeping, sanitation, security, horticulture and gardening etc. which have been or may be outsourced as per State Government guidelines.

2. Learned senior counsel for the respondent-University further clarifies that henceforth any contractual appointment on the expiry of its tenure will also be governed by the aforesaid norms. He assures the Court that the respondent-University would remain bound by the aforesaid statement under the pain of contempt.

3. The aforesaid being the position, learned counsel for the petitioner has also expressed faith in the statement mentioned aforesaid so long as it is adhered to by the respondent-University.

4. We see no reason as to why the respondent-University would not adhere to the aforesaid statement being fully conscious of its undertaking to this Court.

5. The petition accordingly stands disposed of.

6. We express our appreciation for the assistance rendered by learned counsels for the parties.