
(1993) 04 RAJ CK 0002
In the Rajasthan High Court
Case No : Civil Writ Petition No. 240 of 1989

Smt. Harmindra Pal Kaur	Vs	APPELLANT
State of Rajasthan and Others		RESPONDENT

Date of Decision : 20-04-1993

Acts Referred:

Grant-in-Aid Rules, 1983 — Rule 26

Citation : (1993) WLN 344

Hon'ble Judges : Rajendra Saxena, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajendra Saxena, J.—The petitioner through this writ petition has challenged the selection & appointment of Shri M.S. Grewal (respondent No. 4) on the post of lecturer in Hindi Department of S.G.N. Khalsa College, Sri Ganganagar (respondent No. 2) and prayed that the same be quashed and that she be appointed as lecturer in place of respondent No. 1.

2. Succinctly stated the admitted facts of this case are that S.G.N. Khalsa College, Sri Ganganagar is a public institution getting 90% aid from the State Government under the Grant in Aid Rules, 1963. It is affiliated to the Ajmer University and governed by the provisions made for the affiliated colleges in the Ajmer University Act, Statute & Ordinance. The Managing Committee, S.G.N. Khalsa College, Sri Ganganagar (respondent No. 3) through its advertisements published in the Daily Tribune, Chandigarh Edition dated 9.9.1988 and in Rajasthan Patrika, Bikaner Edition dated 23.2.1988 invited applications for one post of lecturer in the Hindi Department of respondent No. 2, wherein it was mentioned that qualification and grade will be as per U.G.C. norms and that preference will be given to M. Phil. or Ph. D. candidates. As per norms of the University Grant Commission the requirements and qualifications prescribed are as under:

Recruitment to the posts of Lecturers, Readers and Professors in Universities and Colleges shall be on the basis of all India advertisement and selection. The minimum qualifications required for appointment to the posts of lecturers, Readers and Professors will be those prescribed by the U.G.C. from time to time. Generally, the minimum qualifications for appointment to the post of Lecturer shall be Master's degree in the relevant subject with at least 55% marks or its equivalent grade; and good academic record.

Explanation:

(i) M. Phil and Ph. D. in the relevant subject may be prescribed in appropriate cases, as a desirable qualification for recruitment to the posts of Lecturers in Colleges and Universities respectively.

(ii) The minimum qualifications should not be relaxed even in respect of candidates who have research degree like M. Phil./Ph. D.

3. In pursuance of the said advertisements, the petitioner respondent No. 4 and several other candidates applied for the post of lecturer in Hindi. Their applications were scrutinized by respondent No. 3 and interview letters were issued. The respondent No. 3 also constituted a Selection Committee provided under the law for the appointment of lecturers consisting of seven persons, which included the President, Vice President and Principal of S.G.N. Khalsa College, Sri Ganganagar, Shri B.B. Sharma, Principal, Govt. College, Sri Ganganagar as Government nominee, Shri Ravi Tikku, University nominee, Shri R.S. Sharma, Reader Hindi Department, Rajasthan University as an Expert and Shri Ratan Singh Jaggi, Reader, Punjab University, Patiala as an-other Expert. The said University nominee, however, did not attend the meeting of the Selection Committee, which was held on 12.11.1988, wherein the candidates were interviewed. The said Selection Committee after interviewing the candidates submitted its recommendations and on the basis thereof the respondent No. 3 prepared a panel of two candidates for the appointment of lecturer in Hindi Department. In the panel, the name of respondent No. 4 was shown at S. No. 4 while the petitioner's name was shown at S. No. 2.

4. It is the case of the petitioner that respondent No. 4 did not possess the required qualifications because he had secured only 58.4% marks in the M.A. examination while according to the qualifications prescribed by the U.G.C, the candidates should have at least 55% marks and as per explanation appended to the qualifications prescribed by the U.G.C, the minimum qualification could not be relaxed even in respect of candidates having Research Degree like M. Phil/Ph. D. According to the petitioner though the respondent No. 4 possessed the Doctorate Degree still then since he had not secured 55% marks in M.A. Examination, he could not have been selected. On the other hand she had secured 58% marks in M.A. (Hindi) Examination. The respondent had also passed his B.A. Examination in III Div. Securing 45% marks only. Thus, he also did not have a good academic record. Therefore, his selection as lecturer in Hindi

was wholly illegal and bad in the eye of law. Another contention of the petitioner is that Shri R.S. Jaggi, Reader, Punjabi Department could not have been appointed as an Expert in the Selection Committee for selecting the candidates for the post of Lecturer in Hindi. No recover, as per law, there should have been at least two Experts in the subject for holding the selection of the lecturer. Hence the constitution of the selection committee was illegal and on this count also the selection of respondent No. 4 was arbitrary and illegal, which deserves to be quashed. According to the petitioner since respondent No. 4 was not qualified to be appointed as Lecturer and her name appears at S. No. 2 in the panel of selection, she should be appointed as Lecturer (Hindi) in place of respondent No. 4.

5. The State Government in its reply has opposed this writ petition and asserted that U.G.C. is merely a recommendatory body and until and unless its recommendations are accepted by the University as well as the State Government, such recommendations can only be treated as suggestions given by the U.G.C. It has been further asserted that the qualifications prescribed by the U.G.C. for the post of Lecturers have still not been adopted by the State of Rajasthan and hence for the recruitment on the post of lecturers in the Government Colleges/Affiliated Colleges, the minimum qualifications prescribed by the University of Rajasthan as adopted by University of Ajmer were applicable, and that the respondent No. 4 possessed requisite qualifications for the post of Lecturer and as such his selection was in accordance with law.

6. The respondents No. 2 to 4 in their joint counter have averred that S.G.N., Khalsa College, Sri Ganganagar was previously affiliated to the Rajasthan University and has now been affiliated to the Ajmer University after the latter came into existence w.e.f. 1st August, 1987, and is guided by the provisions of the Ajmer University Act and the Ordinance. They have alleged that the Director of Colleges Education, vide his notification dated 20.05.1988 (Ex.-R/1) had invited applications for the appointment of Lecturers in various subjects on ad hoc basis in Rajasthan, wherein the minimum qualifications were not prescribed in accordance with the U.G.C. norms and it was not at all mentioned that the minimum qualifications for appointment to the post of Lecturers shall be Master Degree in the relevant subject with at least 55% marks or its equivalent grade and good academic record. However, later on the Director, college Education by his notification dated 04.07.1988 (Ex.-R/2) amending the previous notification (Ex-R/1) in the light of U.G.C. revised norms and in place of "qualifications as prescribed by the Rajasthan University", substituted the minimum qualifications as "good academic record having at least 55% marks in the Master's Degree in the relevant subject". This amendment in the qualifications was challenged in D.B. Civil Writ Petition No. 2872/88 Miss Madhuri Bedi v. State of Rajasthan and Ors., in the Rajasthan High Court at Jaipur Bench, wherein it was held that the U.G.C. is a recommendatory body and until and unless its recommendations are not accepted by the State of Rajasthan and the University concerned and the relevant Rule 26 and the Ordinance 141-B are not amended, the minimum

qualifications mentioned in the U.G.C. norms could not be applied. They have further averred that in view of the said decision of this Court the Director of College Education by his notification dated 26.10.1988 (Ex.-R/3) deleted the qualifications mentioned in notification Ex.-R/2 in accordance with U.G.C. norms and invited applications for the appointment of Lecturers having qualifications as prescribed by the Rajasthan University. It is alleged that the copies of notifications Ex.-R/1, R/2 and R/3 were also sent to all the affiliated colleges. It has been asserted that neither the State Government nor the Rajasthan University nor the University of Ajmer had accepted the recommendations made by the U.G.C. in this regard and that on the date of meeting of the selection committee i.e. held on 12.11.1988 the qualifications laid down in Ordinance 141-B of the Rajasthan University, which has been adopted by the Ajmer University were in force and hence respondent No. 4 possessed the requisite qualifications. It has also been asserted that Shri R.S. Jaggi passed his M.A. in Hindi (vide Ex-R/4) and D. Lit. in Hindi from Magadh University as per Degree Ex.-R/6, that his name was duly approved by the Vice Chancellor, University of Ajmer as an Expert to serve on the selection committee for the selection of teachers in Hindi vide Addl. Registrar, University of Ajmer's letter dated 21/22.09.1988 (Ex-R/7). Therefore, the appointment of Shri R.S. Jaggi as a Hindi Expert was not illegal. It has been averred that on 12.11.1988, as many as two Hindi Experts and five members of the selection committee were present, that the quorum was complete and that the constitution of the selection committee was also not illegal. They have also asserted that after selection, the respondent No. 4 joined as lecturer (Hindi) on 18.11.1988 vide his joining report Ex.-R/10 and that his appointment was also duly approved by the University of Ajmer vide its letter dated 27.01. 1989 and 04.05.1989 Ex.-R/11 and R/11.A and by the Director of College Education, Rajasthan, Jaipur vide his letter dated 04.01.1989 (Ex.-R/12.)

7. I have heard the learned Counsel for the parties at length and perused the relevant record.

8. During the course of arguments, the petitioner has filed an application alleging that respondent No. 4 has now been dismissed from service by the Managing Committee of S.G.N. Khalsa College, Sri Ganganagar after conducting necessary enquiry against him. This fact has not been denied by the respondents. Therefore, it is not in dispute that sometime in December, 1992 the services of respondent No. 4 have been terminated on account of his alleged misconduct. But this is not in dispute that his services have not been terminated on the ground of lack of minimum qualifications possessed by him.

9. Shri Bhagwati Prasad, learned Counsel for the petitioner has submitted a two-fold argument. Firstly, according to him, even if the U.G.C. norms were not adopted by the State Government and the University of Ajmer, still then, the S.G.N. Khalsa College, Sri Ganganagar which is a public institution was legally not precluded from adopting U.G.C. norms and since in its advertisements it was specifically mentioned that the qualifications shall be as per U.G.C. norms, which

required at least 55% marks in the Master's degree in the relevant subject and good academic record, the respondent No. 4 who had not secured 55% marks in his M.A. examination, could not have been selected as a lecturer even though he possessed the Ph. D. Degree. Secondly, according to him, since the petitioner's name appeared at S. No. 2 in the panel, and respondent No. 4 is now no more in service, she is entitled to be appointed as a lecturer.

10. Shri S.K. Vyas, the learned Addl. Government Advocate and Shri H.S. Sandhu, learned Counsel for respondent No. 4 have vehemently contended that as per statute of the University, every college, which is not maintained by the Government shall make appointments to the teaching posts in the college after advertisement and on the recommendations of the selection committee and that five members shall form a quorum of the selection committee provided that at least one subject Expert is present. They have contended that admittedly on 12.11.1988 as many as two Experts and five members of the selection committee were present, therefore, the constitution of the selection committee was not illegal. They have reiterated that on 12.11.1988, neither the State Government nor the University of Rajasthan nor the University of Ajmer had accepted the U.G.C. norms regarding the qualifications of lecturer nor the University Act, nor statutes nor ordinances were amended. Therefore, on that day, Ordinance 141-B of the University was in force, which required the minimum qualifications for lecturer in the faculty of Arts as Doctorate Degree or Research Work of equally high standard with good academic record with at least second class Master's degree in the relevant subject from an Indian University and that as per explanation the good academic record meant a candidate holding a Ph. D. degree possessing at least a second class Master's degree. Since the respondent No. 4 possessed a Ph. D. degree in Hindi and second class Master's degree, hence he possessed the minimum requisite qualifications. On the other hand, the petitioner was not having a Ph. D. degree. Of course, she had secured 58% marks in M.A. examination and that is why keeping in view the provisions of Ordinance 141-B, her name was placed at S. No. 2 in the panel of selected candidates. They have contended that now w.e.f. 02.05.1990, the State Government as well as the Ajmer University have adopted the norms prescribed by the U.G.C. regarding the qualifications of lecturers, and since the petitioner does not possess the Ph. D. Degree, she cannot be now appointed as lecturer.

11. Shri S.N. Sharma, learned Counsel for respondents No. 2 and 3 has admitted that respondent No. 4 has now been dismissed from service on account of some misconduct and submitted that respondents No. 2 and 3 will comply with the order of this Court.

12. I have given my thoughtful consideration to the rival contentions. The University Grant Commission Scheme, 1986 framed by the Government pursuant to the Malhotra Committee's report was sent by the Human Resources & Development Department to the Education Secretaries of all the States/Union Territories alongwith its circular dated 17th June, 1987. In that Circular it was

specifically made clear that the adoption of the Scheme was voluntary, and on a result which might flow from the State Government in not adopting the Scheme might be that it may not get the benefit of the offer of reimbursement from the Government of India to the extent of 80% of the additional expenditure involved in giving effect to the revision of pay-scales to the teaching staff as recommended by the Scheme. Thus, the U.G.C. scheme is merely recommendatory.

13. Admittedly, S.G.N. Khalsa College, Sri Ganganagar is a public institution, getting 90% aid from the State Government under the Grant-in-Aid Rules, 1983 and is governed by the provisions made for the affiliated colleges in the Ajmer University Act, Statute and Ordinance. The Governor of Rajasthan promulgated "the University of Ajmer Ordinance, 1987 (Ordinance No. 14 of 1987)" on the 23rd day of July, 1987 for establishing and incorporating University at Ajmer in the State of Rajasthan. The Ajmer University came into existence w.e.f. 1st August, 1987. As per Section 6 of the aforesaid Ordinance, the territorial jurisdiction of University of Ajmer has been defined so as to extent of the colleges in the entire territorial of State of Rajasthan excluding the colleges situated in the municipal limits of the cities of Udaipur and Jodhpur, all Agricultural Colleges in the State, constituent colleges of the University of Rajasthan, Medical, Engineering, Ayurved, Homeopathy, Unani Colleges in Rajasthan. The University of Ajmer and its affiliated college are governed by the provisions of the aforesaid Ordinance, which contained statutes also. The statutes as contained in the ordinance were made for management of all affiliated colleges (including Government colleges) and constitution of selection committees for appointment of principals & teachers in non-government colleges. The officer on Special Duty, University of Ajmer vide its notification dated 7th Sept., 1987 (Ex. R-/13) advised all the affiliated colleges to carefully look into the provisions of the said ordinance, which was published in Rajasthan Rajpatra dated 23rd July, 1987. It was specifically mentioned therein that in regard to matters not covered by the aforesaid ordinance and statutes made thereunder, the statutes, ordinances and regulations of the University of Rajasthan as existing on 31st July, 1987 shall apply.

14. Statute 26 deals with the affiliated colleges management. It inter alia lays down that every college not maintained by Government shall make appointments to the teaching posts of principals and other teaching posts in the college after advertisement & on the recommendations of the selection committee. It also provides that the selection committee for appointment to all other teaching posts (other than the principals) shall consist of not more than nine members which shall include:

(I) The President or the Vice President of the Management Committee of the College;

(ii) One nominee of the Management Committee;

- (iii) Principal of the College;
- (iv) One nominee of the State Government only in the case of colleges receiving grant in aid from the Government;
- (v) Two subject Experts to be appointed by the Management Committee from a panel to be approved by the Vice Chancellor;
- (vi) One representative of the University nominated by the Vice Chancellor, and
- (vii) The Head of the Department concerned/Senior most of the teacher subject concerned in the college provided he has at least 15 years experience in the college.

It further lays down that five members shall form a quorum provided that at least one subject Expert is present.

15. In the instant case, as per Degree (Ex. R/4) Shri Ratan Singh had passed M.A. (Hindi) and obtained degree of Doctorate of Philosophy from Punjab University Ex. R/5 and also a degree of Doctorate of Literature in Hindi from Magadh University vide Ex. R/6. Apart from it he was duly approved by the Vice Chancellor, University of Ajmer as an Expert to serve on the selection committee for the selection of teachers in the subject of Hindi vide Additional Registrar, University of Ajmer's letter dated 21/22.9.1988 Ex. R/7. Therefore, the petitioner has miserably failed to establish that Shri R.S. Jaggi was not an expert to serve on the selection committee for the selection of lecturer in Hindi and that the constitution of the selection committee was illegal. The learned Counsel for the petitioner has also failed to show any statute or law which requires that there should at least be three Experts in the subject for holding the selection of the lecturer. On the other hand as per Statute 26 at least one subject Expert should be present in the meeting of the selection committee and that five members shall form quorum of such a meeting. In the case in hand, the petitioner has not alleged/pleaded that the quorum of the selection committee was not complete. Therefore, it can not be held that constitution of the selection committee was either illegal or had in the eye of law or that Shri Ratan Singh Jaggi was not eligible to be appointed as an Expert for the selection of lecturer in Hindi. Hence, on this ground the selection of respondent No. 4 as Hindi Lecturer can not be held to be arbitrary or illegal, and the same can not be quashed.

16. Statute 30, enjoins that every college affiliated to the University shall satisfy that the number and the qualifications of its teaching staff in each subject are adequate, and/or in accordance with the Rules prescribed by the University.

17. The University of Ajmer Ordinance, 1987 specifically lays down that in regard to the matters not covered by it and the statutes made thereunder the statutes, ordinances and regulations of the University of Rajasthan as existing on 31st July, 1987 shall apply. The said ordinance did not separately provide for the minimum qualifications of the lecturers/research associates in the faculty of Arts, Social Science etc. Therefore, only Ordinance 141-B of the Rajasthan University

was applicable on the respondent No. 2, which provided a minimum qualifications for a lecturer as under:

- (a) a Doctorate Degree or Research Work of an equally high standard; and
- (b) good academic record with at least a second class in the 7 point scale Master's degree in the relevant subject from an Indian University. Provided that if the selection committee is of the view that the research work of a candidate is of a very high standard, it may relax any of the qualifications prescribed in (b) above.

18. The Explanation appended to Ordinance 141-B declares that "good academic record" where-ever occurring in the said ordinance means (i) a candidate holding a Ph. D. degree should possess at least a second class Master's degree, or (ii) a candidate without a Ph. D. degree should possess a high second Class Master's degree and second class in the Bachelor's degree. It further declares "High Second Class" where ever occurring in the said ordinance means a candidate should have obtained more marks than the mid-point of the minimum marks prescribed for passing an examination in Second & First Division. Therefore, Ordinance 141-B, nowhere provides that a candidate must possess at least 55% in the Master's degree or its equivalent grade in the relevant subject. On the other hand the minimum qualifications for appointment as lecturer as per ordinance 141-B was a Doctorate degree or research work of an equally high standard and a good academic record with at least a Second Class Master's degree in the relevant subject.

19. The Division Bench of the Rajasthan High Court Bench at Jaipur vide its judgment dated 20.9.1988 rendered in D.B. Civil Writ Petition No. 2872/88 (Miss Madhuran Bedi v. State of Rajasthan) has held that U.G.C. is a recommendatory body and until & unless its recommendations are accepted by the University as well as the State Government, the same will be treated as mere suggestions given by the U.G.C. and that until & unless the qualifications for the post of lecturer are not adopted by the State Government and University concerned and the appropriate Rule/Statute/Ordinance is amended the minimum qualifications prescribed by the University shall be applicable for the appointment of lecturers. It is an admitted fact that the Board of Management of the University of Ajmer has now prescribed the minimum qualifications for the appointment of lecturers in affiliated colleges and University of Ajmer vide its resolution No. 12 dated 2nd May, 1990 has revised the Ordinance pertaining to these qualifications vide its notification No. F. 13 (2) (11) ACAD. I/UOA/90/22306 dated 26.6.1990. Hence, now the minimum qualifications for appointment to the post of lecturers is Master's degree in the relevant subject with at least 55% marks or its equivalent grade and good academic record. Therefore, it is abundantly apparent that on 12.11.1988, when the petitioner and respondent No. 4 were interviewed by the selection committee the minimum qualifications for appointment of lecturer was as prescribed by ordinance 141-B and it could not be as per U.G.C. norms. Hence, the S.G.N. Khalsa College, Sri Ganganagar was legally not empowered to

adopt the minimum qualifications prescribed by the U.G.C. norms on that day, because the same was neither accepted by the State Government nor by the University concerned nor the relevant rule/statute/ordinance was amended. Therefore, it is abundantly apparent that on 12.11.1988 respondent No. 4 possessed the minimum requisite qualifications and was duly selected by the selection committee and his appointment can not be quashed on the ground of lack or requisite qualifications.

20. Shri Bhagwati Prasad has relied on *Y.V. Rangaiah v. J. Sreenivasa Rao* AIR 1983 S.C 853, wherein it has been observed that vacancies occurred prior to amendment of the Rules would be governed by old Rules and not by the new Rules. It was a case of transfer/promotion to the post of Sub-Registrar Grade-II in the Andhra Pradesh Registration and Subordinate Service Rules. It was held that a panel should have been prepared for such promotions in the year 1976 and transfer or promotion should have been made out of that panel. Evidently, the facts of this case are clearly distinguishable. Here the main question is, as to what were the requisite qualifications prescribed for the appointment of lecturer in the S.G.N. Khalsa College, Sri Ganganagar on 12.11.1988 and whether respondents No. 2 & 3 could prescribe the minimum qualifications as per U.G.C. norms, which were not accepted by the State and the University concerned on that day. Therefore, Rangaiah's case does not come to the rescue of the petitioner.

21. The next case relied by District Collector and Chairman, Vizianagaram Social Welfare Residential School Society, Vizianagaram and Another Vs. M. Tripura Sundari Devi, In that case, the minimum qualifications prescribed in the advertisement was a Second Class Post Graduate degree. The respondent having a Third class Post Graduate degree was selected and appointed inadvertently without scrutinising the copies to the certificates. However, the order of appointment was made subject to production of original certificates. Subsequently, on scrutiny of original certificates, the respondent was found to be short of qualification and as such she was not allowed to join the service. The Hon'ble Apex Court held that the action of the appellants was proper. However, keeping in view the fact that the respondent, who was unqualified was allowed to serve on the post pursuant to the order of the Service Appellate Tribunal and she has subsequently acquired the requisite qualifications and that she had become over-age for the post and many others under-qualified were appointed to the post, the Apex Court taking a humanitarian view held that it would be unjust to deprive her of the post at that stage and ordered for creation of a post for her. Hence, the facts of this case are clearly distinguishable.

22. The next case relied by *T.P. George and Others Vs. State of Kerala and Others*, . In that case the State of Kerala implemented the U.G.C. norms of 1986, except the age of retirement, which was continued upto 55 years. Affirming the decision of the High Court the Supreme Court held that as long as the superannuation remained fixed at 55 years and as long as the State Government

did not accept the U.G.C.'s recommendation to fix the age of superannuation at 60 years, teachers could not claim as a matter of right that they are entitled to retire on attaining the age of 60 years. The Apex Court also held that the U.G.C. Scheme was not binding and was mere recommendatory, that the State Government had the discretion to accept or not to accept the scheme and that the teachers could only get the benefit which flow from the scheme to the extent, which had been accepted by the State Government and the concerned University. Therefore, this case instead of helping the petitioner, fortifies the contentions raised on behalf of the respondents.

23. Shri Bhagwati Prasad has also relied on the case of Dr Prit Singh Vs. S.K. Mangal and Others, In this case the requisite qualifications prescribed for the Principal of a recognised college of education prior to 15.10.1987 was consistently good academic record with 1st or High Second Class (55% marks/grade B in the seven point scale), Master's degree in any subject and also a degree in Education of an Indian University or equivalent degree of foreign university. An advertisement was issued for the said post on 30th June, 1986 and after interview the appellant was selected for the post of Principal of the said college by the management committee on 22.7.1986. As per University Regulations any such appointment was required to be approved by the Vice Chancellor, who declined to approve the said appointment on the ground that the appellant did not fulfil the requisite qualifications for the post and the said decision of the Vice Chancellor was communicated to the managing committee of the college by a letter dated 24.8.1987. However, after amendment on 15.10.1987, the requisite qualifications were changed to "a good academic record with at least 1st or high Second Class (B in seven point scale) at Master's degree in Education and not necessarily also a Master's degree in the relevant subject". The Vice Chancellor later on approved the appointment of the appellant by his order dated 13.11.1987 w.e.f. 16.10.1987. The Hon'ble Supreme Court held that the appellant did not possess the prescribed qualifications on the date of appointment and that the Vice Chancellor was wrong in approving the appointment retrospectively after the amendment of the prescribed qualifications. I respectfully agree with this principle of law enunciated in this case. But apparently the Respondent No. 4 possessed the minimum qualifications and that by the subsequent adoption of the U.G.C. Scheme and amendment in the Ordinance by the Ajmer University vide its Notification dated 26.6.1990, the petitioner now does not become entitled to be appointed as lecturer in Hindi. More over the panel made by respondents No. 2 & 3 can not continue ad infinitum. Therefore, Dr. Prit Singh's case also does not help the petitioner.

24. Hence, for the reasons mentioned above, neither the selection & appointment of respondent No. 4 on the post of lecturer in Hindi made in pursuance of the recommendations of the selection committee in Nov., 1988 was illegal nor the same deserves to be quashed, nor the petitioner is now entitled to be appointed as lecturer in Hindi in place of respondent No. 4.

25. The resultant of the above discussion is that this writ petition is devoid of any force and substance and the same is hereby dismissed. No order as to costs.