



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

211

**CWP-15098-2016 (O&M)
Date of decision: 17.07.2025**

Ruchika Yadav

...Petitioner

VERSUS

Sant Longowal Institute of Engg. & Tech. (SLIET) and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Shreesh Kakkar, Advocate for
Mr. Kapil Kakkar, Advocate for the petitioner(s).

Mr. Vivek Singla, Advocate for respondent No.1.

Mr. Anil Chawla, Sr. Panel Counsel,
for respondent No.2-UOI.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the selection process initiated by the respondent-Institute for the post of Assistant Professor in Computer Science & Engineering.

2. The petitioner specifically contends that she was deliberately awarded low marks to favor the selection of a specific candidate i.e. the private respondent. It is further asserted that although the selection process was initiated to fill up a total of five posts but only one candidate was recommended, thus leaving four posts vacant. Consequently, at the time of filing of the present writ petition, the petitioner sought consideration for appointment against the remaining vacant posts.



3. Learned counsel appearing on behalf of the respondent-Institute has informed that undisputedly the selection process in question was conducted for a total of five posts reserved for the OBC category. The petitioner secured a total score of 47.58, whereas respondent No.3, Chandra Shekhar Yadav, who was recommended by the Selection Committee, obtained a total score of 70.44. It is submitted that even the sole selected candidate resigned in December 2018. It is further stated that subsequent to the 2015 selection process, the respondent-Institute conducted three additional selection processes based on the available workload. The petitioner participated in only one of these subsequent processes and did not appear in the others. No challenge has been made by the petitioner to any of these later selection processes or their results. Learned counsel contends that the petitioner's claim for appointment against any other vacant post against the posts initially advertised cannot be accepted, as not only the marks secured by her fall less than at least ten other candidates who competed with her and who ranked higher in merit. Even in the most favorable scenario for the petitioner, she does not qualify ahead of these candidates.

4. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition, with their able assistance.

5. None of the factual aspects noted above are disputed. Petitioner has even though alleged that very high marks were given to respondent No.3 in the interview and as such his selection ought to be quashed and she should be given appointment. It is not in dispute that as against 5 advertised posts



only one candidate was recommended and the remaining posts were left vacant for non-availability of a suitable candidate. It is also not in dispute that there is no allegation of bias in favour of any other candidate and undisputedly there are 10 other candidates who are higher in merit than the petitioner in the said selection list. The law does not mandate that if selection is set aside at the instance of some litigant, such litigant automatically becomes entitled to the appointment. The suitability and merit of the challenging candidate still needs to be kept in mind, more so in educational institutes where the human resource for the Nation is being trained. Since default appointment does not flow as an automatic outcome, the claim of the petitioner for appointment yet needs to be tested on merits. She however fails to qualify on the said criteria in the given factual scenario. Their selection process having been undertaken in the interregnum, the petitioner cannot place reliance on the original advertised vacancies without exploring the subsequent selection processes.

6. Even otherwise, the said private respondent against whose selection the instant writ had been filed had already resigned in the year 2018, hence, the foundation of challenge also goes. The challenge is thus more of an academic exercise.

7. Taking into consideration the fact that the candidate selected in the said selection process has already resigned, and that the respondent-Institute has conducted three subsequent selection processes, of which the petitioner participated only in one. I am of the view that the issues raised by the petitioner concerning the earlier selection process have become purely



academic and do not warrant further adjudication.

8. Even if, for the sake of argument, it is assumed that the selection process involved some bias in favor of respondent No.3 and that undue marks were awarded to him, any direction to remove or replace him at this stage would be futile since he has already resigned. Moreover, the petitioner cannot also be appointed at this juncture as there are at least ten other candidates who scored higher and against whom no allegations of preferential treatment have been made. Thus, considering it from any perspective, the order of appointment in favour of the petitioner cannot be issued.

9. **The present writ petition is accordingly dismissed at this stage.**

(VINOD S. BHARDWAJ)
JUDGE

17.07.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No