

Pawan Kumar Sharma Versus Chaudhary Sarwan Kumar Krishi Vishvavidyalaya (CSKHPKV) and Others a/w connected matter.

LPA No.642 of 2025 a/w
LPA No.641 of 2025

Item No.P-5

LPA No.642 of 2025

25.09.2025

Present:

Mr. Dilip Sharma, Senior Advocate with Mr. Manish Sharma, Advocate, for the appellant.

Mr. Prince Chauhan, Advocate, for respondent No.1-CSKHPKV.

Mr. Ramesh Sharma, Advocate, for respondent for respondent No.3-Dr. Y.S. Parmar University.

Mr. Ram Murti Bisht, Advocate, for respondent No.4.

LPA No.641 of 2025

Mr. Dilip Sharma, Senior Advocate with Mr. Manish Sharma, Advocate, for the appellant.

Mr. Prince Chauhan, Advocate, for respondent No.1-CSKHPKV.

Mr. Ramesh Sharma, Advocate, for respondent for respondent No.2-Dr. Y.S. Parmar University.

Mr. Neel Kamal Sharma, Advocate, for respondent No.3.

LPA No.642 of 2025

It is the contention of the learned Senior Counsel for the appellant while referring to the terms of the Advertisement dated 08.03.2019 Annexure P-3 (page 137) the post in question to which he was appointed, was of Assistant Professor Agriculture Biotechnology, mentioned at Sr. No.9.

2. The qualification was M.Sc in the concerned discipline (page 148). His case was that he had the qualification of M.Sc Biotechnology Annexure R2/2 (Page 324) and therefore, reference is made to a Notification dated 24.01.2018 Annexure R-2/1 (page 300), issued by the Agricultural Scientists Recruitment Board to show that at Appendix-VI(1) (Page 320) for the Discipline, Agriculture/Biotechnology/Master's Degree in Biotechnology, would be the eligibility qualification.

3. It is accordingly, as such the case of the counsel for the appellant that the Selection Committee while drawing the list of candidates Annexure P-7 (page 170) had selected him being at Sr. No.27. The writ petitioner was put on the waiting list at Sr. No.2. Therefore, the learned Single Judge, should have stayed his hands while dealing with the issue of the qualifications, since the experts, as such had found the qualification to be relevant certificate, giving him the eligibility criteria.

4. It is pointed out by the respondent's side that in contrast the writ petitioner was put on the waiting list at No.2, in spite of having the requisite certificate in Agriculture Biotechnology (Page 135) and there was no justification for the Committee to have granted the appointment of Assistant Professor to the present appellant. It is further pointed out that waiting list candidate Smt. Swati Verma, did not also

have the requisite qualification, and she was wrongly placed at Sr. No.1 in the waiting list.

5. The learned Single Judge has thus rightly held that the issue of equivalence, as such would not be liable to be considered. He pointed out that the present appellant with open eyes had applied for the post, which had mentioned the requisite qualification and having taken so, a chance he cannot plead equity to obtain any interim order at this stage.

6. On taking steps within three days, issue notice to respondent No.2, returnable on or before the next date of hearing.

List for consideration on **28.10.2025**.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

25th September, 2025
(Gaurav Rawat/Susheel)