



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 595/2021

Bharat Sharma

----Petitioner

Versus



1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Secretariat, Jaipur (Raj.)
2. Principal Secretary, Sanskrit Education Department, Government Of Rajasthan, Jaipur (Raj.)
3. Secretary, Higher And Technical Education Department, Government Of Rajasthan, Jaipur (Raj.)
4. Registrar, The Jagadguru Ramanandacharya Rajasthan Sanskrit University, Jaipur (Raj.)
5. Dr. Anula Morya

----Respondents

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For Petitioner(s) : Mr. Prashrut Sharma on behalf of  
Mr. U.P. Gaur

For Respondent(s) :

**HON'BLE THE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA  
HON'BLE MR. JUSTICE SAMEER JAIN**

**Order**

**08/04/2022**

1. Heard.
2. This petition styled as Public Interest Litigation has been filed by the petitioner for issuance of writ in the nature of *quo warranto*



challenging appointment of respondent No.5 as Vice Chancellor of Jagadguru Ramanandacharya Rajasthan Sanskrit University, Jaipur.

3. While pleadings are blissfully vague, we find that reliance has been placed on the UGC regulations annexed along with the petition. Learned counsel for the petitioner has drawn attention of this Court to UGC regulations called the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2010) Regulations 2010 (Annexure-A4) as also the Jagadguru Ramanandacharya Rajasthan Sanskrit University, Jaipur (Amendment Ordinance), Ordinance 2018 to submit that respondent No.5 does not possess statutorily prescribed experience of teaching the post graduate classes for a period of ten years, therefore, respondent No.5 does not possess minimum required qualification prescribed under the law and has illegally usurped the public office of Vice Chancellor.

4. UGC Regulations referred to hereinabove provide for following eligibility criteria/minimum educational qualification for appointment on the post of Vice Chancellor:-

**“7.3.0 VICE CHANCELLOR:**

i. Persons of the highest level of competence, integrity, morals and institutional commitment are to be appointed as Vice-Chancellors. The Vice-Chancellor to be appointed should be a distinguished academician, with a minimum of ten years of experience as Professor in a University system or ten years of experience in an equivalent position in a reputed research and/or academic administrative organization.

i.....”



On similar lines, ordinance of 2018 (Annexure-5) provides as below:-

"11. Vice-Chancellor- (1) The Vice-Chancellor shall be a whole time paid officer of the University.

(2) No person shall be eligible to be appointed as Vice-Chancellor unless he is a distinguished academician having a minimum of ten years experience as Professor in a university or college or ten years experience in an equivalent position in a reputed research and/or academic administrative organization."

5. Apart from there being no pleadings that the ordinance of 2018 was repromulgated and in force nor there being any pleading that legislation has also been made by the legislature, even if we go by what has been prescribed by the UGC Regulations juxtaposing with the averments made in the petition, the petitioner's pleadings do not satisfy even on the *prima facie* basis that respondent No.5 does not possess the minimum eligibility criteria prescribed under the UGC Regulations. The entire basis of petitioner's case has been that respondent No.5 has not acquired the teaching experience in the post graduate college. We do not find such a legal requirement either in the Regulations or in Ordinance.

6. Learned counsel for the petitioner however has submitted that the respondent No.5 was not even qualified to be appointed as Professor. There has been no challenge to the appointment of respondent No.5 as Professor, therefore, such argument cannot be allowed to stand while entertaining challenge to the appointment of respondent No.5 as Vice-Chancellor.



7. This petition, if we may say so, not only lacks proper pleadings but also on the face of it is frivolous. Therefore, we are not inclined to issue notice in this petition and dismiss the same with the cost of Rs.25,000/-.

(SAMEER JAIN),J

(MANINDRA MOHAN SHRIVASTAVA),ACTING CJ

N.Gandhi/6



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