HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 13959/2025

Professor Mahipal Sihag Son Of Shri Ramjas Sihag

----Petitioner

Versus

The Chancellor & Ors.

----Respondents

For Petitioner(s) : Dr. Savita Sihag, Adv.

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

18/11/2025

1. The instant writ petition is preferred by the petitioner challenging the appointment of respondent No.5- Professor Alpana Kateja as Vice Chancellor of University of Rajasthan by the Chancellor (respondent No.1) on the ground that respondent No.5 has concealed material fact about pendency of criminal case(s) registered against her, for which a notice which were received by her.

2. Learned counsel further submits that even the selection of respondent No.5 for the post of Professor was irregular and the same is also questioned by the petitioner. She further submits and relied upon the declaration and the information submitted in pursuant to advertisement dated 01.08.2023 issued by the Search Committee for inviting application for the post of Vice Chancellor of University of Rajasthan and submits that the correct informations were not furnished by respondent No.5 and despite concealment of important facts, the appointment of respondent No.5 was made by respondent No.1.

3. Learned counsel further placed reliance on the judgment in the case of **Dr. J. Shashidhara Prasad Vs. Government of Karnataka and Anr.** Reported in **AIR 1999 SC 849**, **Avtar Singh Vs. Union of India and Ors.** Reported in **AIR 2016 SC 3598** and **Gambhirdan K. Gadhvi Vs. The State of Gujrat & Ors. Writ Petition (Civil) No.1525/2019** (order dated 30.03.2022) passed by Hon'ble Supreme Court and submits that as per the requirement the post of Vice Chancellor has to be filled from the candidate having highest level of competence, integrity, morals and institutional commitments but here in this case respondent No.5 does not possess the qualification as required to for consideration on the post of Vice Chancellor of the University of Rajasthan.

4. Learned counsel further referred observation in the case of **Avtar Singh Vs. Union of India (supra)** and submits that the information given by a candidate with regard to pendency of a criminal case before or after entering into service must be true and there should be no supression or false mention of required information. She also submits that in case of deliberate suppression of fact with respect to pending case(s) such false information by itself assumes significance and an order for canceling candidature or terminating services be passed against such incumbent.

5. Having considered the submissions and also the legal position as explained in the judgment as referred hereinabove, it is appropriate to consider this matter, therefore, issue notice to respondents.

6. Additional service upon standing counsel or speed post is also permitted.

7. Learned counsel has insisted for consideration of stay application but it is appropriate to give opportunity of hearing to respondent No.5 before considering the stay application, therefore, issue notice of stay application as respondent No.5 is already working as Vice Chancellor in pursuant of order dated 25.09.2023.

8. List Writ Petition after notice on 27.11.2025.

9. List for consideration of stay application on 21.11.2025 at 2:00 p.m.

(ASHOK KUMAR JAIN),J

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