

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

CWP No.3363 of 2015 (O&M)
Date of decision: 25.2.2015

Poonam Naithani

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Ram Niwas Sharma, Advocate for the petitioner.

RAJESH BINDAL, J

The grievance of the petitioner is that she was appointed Guest Faculty as Science Mistress on 10.1.2008. Vide communication dated 9.2.2015, her services were now terminated, as she was not possessing the requisite qualification on the date of appointment.

While referring to the Haryana State School Cadre (Group-C) Service Rules, 1998 (for short "The Rules"), learned counsel for the petitioner submitted that the qualification required for the direct recruitment as Science Masters/Mistress, was B.Sc. with B.Ed. from a recognised university with any of the two subjects in B.Sc. i.e. Physics, Chemistry, Botony and Zoology and knowledge of Hindi upto matric standard. The petitioner had passed her B.Sc. from Hemwati Nandan Bahuguna Garhwal University, Srinagar (Garhwal) with Physics and Chemistry in B.Sc. Part-I and Part-II and Physics and Maths in B.Sc. final. She had passed her intermediate examination with Hindi from Secondary Education Parishad Uttar Pradesh, hence, she was eligible. The degree of B.Sc. awarded by Hemwati Nandan Bahuguna Garhwal University, Srinagar (Garhwal) is recognised by the State of Haryana.

After hearing learned counsel for the petitioner, I do not find any merit in the submissions made.

Once the Rules require that B.Sc. has to be passed with two subjects out of four subjects, namely, Physics, Chemistry, Botany and Zoology and the petitioner having qualified with two aforesaid subjects only in B.Sc. Part-I and Part-II and not in Part-III, she could not be said to be qualified for the post on the date of appointment as Guest Faculty as Science Mistress. The degree otherwise may be recognised for the purpose of higher education, but once the Rules specifically require that B.Sc. has to be passed with two subjects out of four subjects, the petitioner cannot be said to be eligible for the post.

Dismissed.

(RAJESH BINDAL)
JUDGE

25.2.2015

sharmila