

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

LPA No.706 of 2014(O&M)

Date of decision:30.4.2015

**New Kalpana Chawla College of Education for Women
....Appellant**

VERSUS

**Kurukshetra University, Kurukshetra and others
.....Respondent**

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Narender Singh, Advocate for the appellant.

Mr. A.S. Virk, Advocate for respondent Nos.1 and 2.

Mr. Vinod S. Bhardwaj, Advocate for respondent No.3.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench on 29.11.2013 whereby the claim of the appellant for permanent affiliation has been rejected in view of the Regulations as amended on 08.05.2012.

The appellant on completion of 3 years of provisional affiliation sought permanent affiliation in the year 2010 in terms of the guidelines as were applicable on that day but subsequently a resolution No.27 dated 08.05.2012 was passed which contemplated that the grant of permanent affiliation shall be considered after completion of 5 successive years of provisional affiliation. Since, on the said date the appellant has not completed 5 successive years of provisional affiliation, therefore, the claim of the appellant for permanent affiliation was rejected.

We do not find any error in the decision of the University and/or of learned Single Bench whereby the claim of the appellant for

permanent affiliation has been rejected in view of the instructions which were in force at the time of consideration of the request of the appellant for permanent affiliation. The appellant has no accrued right to seek permanent affiliation after completion of three years of provisional affiliation. Since, there is no accrued right, therefore, the appellant has to seek affiliation on the day, the issue is being considered. The appellant was not eligible on that day.

Another argument raised by Mr. Virk, learned counsel representing respondent Nos.1 and 2, is that the appellant is not an Institute which has been granted provisional affiliation nor National Council for Teachers Education has granted recognition to the appellant.

Learned counsel for the appellant points out that it is only a mistake in the description of the appellant before the Writ Court as well as before this Court. Therefore, the appellant will make an appropriate request for permanent affiliation in the correct name of the Institute.

Therefore, we do not find any merit in the present appeal. The same is dismissed however with the observations that as and when the appellant submits any request for permanent affiliation, the same shall be considered by the authority expeditiously in accordance with law.

(HEMANT GUPTA)
JUDGE

APRIL 30, 2015
‘D. Gulati’

(LISA GILL)
JUDGE