

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4051 of 2016

Date of Decision: 12.08.2016

Narender Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rajender Singh Duggal, Advocate,
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J.(Oral)

Challenge in this petition is to the appointment of the private respondents as Resource Persons purely on extension basis in the subject of English for the academic session 2015-16. Four women have been selected on the basis of a panel prepared on merit basis as per the criteria laid down by the College. They are all MA English qualified. One of them has cleared NET while the others are M.Phil. The fourth had teaching experience of one academic session to her credit while another one had experience of four academic sessions Resource Person. The petitioner complains that he has not been selected despite being more meritorious and the only Ph.D. Degree holder with teaching experience. He is also NET qualified. This information, regarding the panel position, the petitioner has received in response to a request made for supply for information under the RTI.

No mala fides have been alleged against the recruiting authority or the selection was unfair. Self-serving statements on inter se merit will not

establish a claim in a Court of Law. Higher qualifications does not mean preferential treatment unless it is stipulated in the advertisement. In the present case, the appointments was made through process of walk-in-interview. It was not a regular selection. Extension Lecturers only fill gaps of manpower deficit in classrooms where regular teachers may not be available to teach the subjects where regular teachers are in shortfall.

I would therefore find no justification or valid reason to interfere with the selection process and engagement of the private respondents as Resource Persons. Strictly speaking, I think it is a misnomer to use the word appointment in case of Extension Lecturers. These are stopgap engagements to tide over teaching work for which strict standards of Articles 14 & 16 may not be applicable or enforceable in law.

Thus, the petition fails and is hereby dismissed.

(RAJIV NARAIN RAINA)
JUDGE

12.08.2016
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No