

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-13009-2013
Decided on 16.02.2017

MANU GARG

....PETITIONER

VS

STATE OF HARYANA & OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Pardeep Solath, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

AJAY TEWARI, J.(Oral)

By this petition the petitioner has challenged the action of the respondent in not considering the course of Master in Human Biology as a component of 'Life Sciences' and consequently declaring that the petitioner is not eligible.

Learned counsel for the petitioner relied upon the decision of Division Bench of this Court which related to the same selection in the same subject in CWP No. 13125-2012 titled as **Babli vs. State of Haryana and others** decided on 04.12.2012 copy of which is annexed as Annexure P-11. In that case this Court had appointed a Committee taking representative of all the 4 Universities of Haryana and ultimately held that all courses which were introduced under the heading of Life Sciences by all the Universities of Haryana (which were 16 in number) would have to be considered to be equivalent to M.Sc in Biology and relied upon the judgment of Coordinate Bench in **Kajal vs. State of Haryana** in CWP-19046-2012 decided on 26.05.2014 whereas this

Court held as follows:

“There is no doubt that the Masters in Science in Food Processing Technology, as possessed by the petitioner (Annexure P- 4), does not specifically find mentioned in the Division Bench order, however, M.Sc. Food Technology is mentioned therein. The principle, which appears to have been laid down by the Division Bench, is that any Postgraduate Course, which has been run by the Faculty of Life Sciences of the University, would be treated to be included in Life Sciences and the candidates possessing such postgraduate degree would be eligible for consideration for appointment to the post of Post-Graduate Teacher (Biology) subject to fulfilling the other conditions.”

I am in respectful agreement with the observation quoted above. In the present case also Punjabi University from where the petitioner has done his Masters has certified that the course of Masters in Human Biology is a course in 'Life Sciences'. It is not disputed that by way of an interim order the petitioner was directed to be considered subject to the decision of the writ petition.

In the circumstances, this petition is allowed and it is held that the degree of M.SC in Human Biology would be covered under the Umbrella of 'Life Science'. Result of the petitioner be declared forthwith. It goes without saying that in case the petitioner obtains sufficiently high marks in the merit he be considered for appointment alongwith all benefits except pay and allowances.

16.02.2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No