

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA no. 2136 of 2017 (O&M)

Date of Decision :27.11.2017

Balwinder Singh

....Appellant(s)

Versus

Chandigarh Housing Board and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI

Present : Mr.Sanjay Majithia, Sr. Advocate with
Mr. Inderjeet Singh, Advocate for the appellant(s)

MAHESH GROVER, J.(ORAL)

While admitting the writ petition, the learned Single Judge
observed as follows:-

“The diplomas have been acquired from an
Educational Institute at Kala-Amb, Himachal Pradesh
during the period of service at Chandigarh and the
certificate (Annexure P-12) shows that it is a full time
programme. The Division Bench in '*Kartar Singh Vs.
Union of India & others*' has already held that obtaining
of technical degrees by way of correspondence or through
distance education are not liable to be recognized.”

Evidently, if we read between the lines, it implies that since the
the writ petitioner was on the regular service of Chandigarh Housing Board,
he could not have attended a full time programme at a place which is at
some distance away.

Learned counsel for the appellant refers to a certificate issued by the Himalayan Institute of Engineering and Technology where he had attended the course certifying that the appellant was regularly attending the course conducted by them. This certificate, however, was never shown to the learned Single Judge and has been brought on record for the first time in the present appeal. We are, thus, of the opinion that the appellant ought to show this certificate to the learned Single Judge in the first instance so as to enable him to evaluate its worth and reconcile it to the observations based on presumption of the writ Court. Needless to say that in case the learned Single Judge does not agree with the contentions of the appellant, he would be at liberty to take recourse to his remedies in law.

Disposed of.

(Mahesh Grover)
Judge

(Raj Shekhar Attri)
Judge

27.11.2017

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Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No