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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P. (C) 2080/2017

GOVT. OF NCT OF DELHI AND OTHERS Petitioners

Through Mr. Sanjoy Ghose, ASC & Mr. Rhishabh
Jetley, Advocate.

versus

S.V. VAGEESHA AND ANOTHER Respondents

Through Mr. Sourabh Ahuja, Advocate for
respondent No. 1.

Mr. Anil Soni, Standing Counsel & Ms. Priyanka
Singh, Advocate for AICTE.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

19.05.2017

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CM No. 18646/2017

Delay of nine days in filing of the review application is condoned as there is no opposition. Application is allowed.

R.P. No. 198/2017

The short question decided vide order and judgment dated 30th March, 2017 was whether the past service rendered by the non-applicant when he had worked as a Lecturer in another institute between 10th August, 1992 to 22nd November, 1995 should be counted for the purpose of Career Advancement Scheme (CAS). The revised guidelines issued by the All India Council for Technical Education (AICTE) dated 10th September, 1993 permits counting of past service as a Lecturer in an earlier university, college, national laboratory or other scientific organisation. The judgment refers to CAS and

the revised guidelines and interprets them.

2. Learned counsel for the review applicant has drawn our attention to question Nos. 33 and 44 in the notification dated 4th January, 2016 issued by the AICTE. We fail to appreciate the relevance of the questions and answers given, to the issue decided by this Court vide order dated 30th March, 2017.

3. The applicant accepts and admits that the non-applicant was appointed as a Lecturer on 27th November, 1995 and at that time requirement the candidate should have cleared Graduate Aptitude Test in Engineering (GATE), it is now accepted, was not applicable. The applicant states that AICTE norms or guidelines were adopted by the Government of NCT of Delhi in 2003. It is, however, submitted that these guidelines were issued by the AICTE on 30th December, 1999. Thus, the applicant accepted that non-applicant was eligible when he was appointed as a Lecturer on 27th November, 1995. Reference to clause 9.2 of the 30th December, 1999 guidelines is inconsequential. The stipulations, and qualification would relate to the previous employment and not new eligibility norms introduced and enacted subsequently. Eligibility qualifications have to be applied with reference to the date when the non-applicant was appointment as a Lecturer.

4. We do not find any merit in the present review application and the same is dismissed.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

MAY 19, 2017
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