

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 11604 of 2010

Date of Decision: 24.07.2018

Yatinder Kumar and others

...Petitioner

Vs.

State of Haryana and others

...Respondents

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

Present: None for the petitioners.

Ms. Shruti Jain Goyal, DAG Haryana

Mr. D. S. Rawat, Advocate for respondent Nos. 2 to 4.

RAJIV NARAIN RAINA, J. (Oral)

1. The petitioners were asked to place on record their educational degrees. The same have been placed on record at Annex.P-9 and they reveal that petitioner No.2 obtained his degree in Engineering either from the Institute of Advanced Studies in Education, Deemed University, P.O. Gandhi Vidhya Mandir, Sardarshahr, Rajasthan, India. The degree has been obtained through distance education mode. The degrees of the same Institute were, inter alia, up for under consideration before the Division Bench of this Court in Kartar Singh Vs. Union of India and others, 2012 (4) S.C.T. 741 against which decision special leave petitions were carried to the Supreme Court. The Supreme Court has upheld the decision of the High Court and issued a slew of 13 directions in case Orissa Lift Irrigation Corporation Limited Vs. Rabi Sankar Patro and others, reported in 2017 (4) SCT 683. The University Grants Commission, New Delhi has, in one of the directions, been directed to consider whether the deemed to be University

status enjoyed by JRN, AAI, IASE and VMRF calls for any withdrawal and to conduct an inquiry in that behalf by 30.06.2018. It is relevant to refer to the direction VII and the same is reproduced as under:

“VII As regards students who were admitted after the academic sessions 2001-2005, their degrees in Engineering awarded by the concerned Deemed to the Universities through distance education mode stand recalled and be treated as cancelled. All benefits secured by such candidates shall stand withdrawn as indicated in para 48 above. However, the entire amount paid by such students to the concerned Deemed to be Universities towards tuition fees and other expenditure shall be returned by the concerned Deemed to be Universities by 31.05.2018, as indicated in para 48.”

2. As a result of the orders of the Supreme Court, this petition is disposed of in terms of Orissa Lift Irrigation Corporation case (supra). It may be noted that candidates who were students at the Institute of Advanced Studies in Education (IASE) before the academic sessions 2001-2005, they would be given a chance by AICTE to appear for and pass an examination conducted by them till 31.07.2018 to test their skill and knowledge of the subject, till that time their degrees will remain suspended. In case the petitioners have cleared their specially ordered examinations as per directives in *Orissa Lift* case, then no further orders are required to be

passed.

24.07.2018

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(RAJIV NARAIN RAINA)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>