

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19560 of 2015 (O&M)

Date of decision: July 19, 2018

Sushma Yadav

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sunil Kumar, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

A.B. CHAUDHARI, J.

Heard learned counsel for the rival parties.

Learned counsel for the petitioner has placed on record the Division Bench judgment of this Court dated 01.10.2015 , passed in CWP No.19126 of 2015.

According to learned counsel for the parties, the present case is covered by the above said decision. We agree with the submissions of learned counsel for both the rival parties. In addition, we quote para 7 of the reply, which is as under:-

“That it is further submitted that this is the prerogative of the State Government to determine which type of qualification is to be prescribed for any particular post and cadre. Before framing the rules, the same are examined at various levels of the Government keeping in view various parameters. The intention of the Government is to provide

the best talent available in the Government schools of the State to provide quality education to the students. The computer Education is a practical subject and in 'regular courses' the practicals are done in a routine manner in the colleges/universities and the computer labs and expert advice is available to the students throughout the year/semester, whereas in 'distance education mode' Personal Contact Programme (PCP) of only few days is conducted, which is short one in comparison to the courses conducted regularly. Thus, the students have less exposure to the practicals/computer labs and expert advice, those who have passed M.Sc. Computer Science/MCA/B.E./B.Tech Computer Science/Computer Engg./IT through 'distance education mode'. Therefore, the students who have acquired their qualification through 'regular courses' are better placed as compared to the students who have acquired the M.Sc. Computer Science/MCA/B.E./B.Tech Computer Science/Computer Engg./IT through 'distance mode'. Therefore, the State Government has rightly prescribed the qualification in the Service Rules.”

In view of the above, we find no merit in the petition.

Hence, the petition is dismissed.

No order as to costs.

(A.B. CHAUDHARI)
JUDGE

(KULDIP SINGH)
JUDGE

July 19, 2018
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No