

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20463 of 2015 (O&M)

Date of Decision:24.1.2018

Ajmer Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr.Ajay Chaudhary, Advocate for the petitioner

Mr.Harish Rathee, Sr.DAG, Haryana for respondents no.1 to 3

Mr.Tarunvir Singh Lehal, Advocate
for University Grants Commission-respondent no.4

RAJIV NARAIN RAINA, J. (Oral)

1. Mr.Lehal, appearing for the University Grants Commission, New Delhi, (for short “the UGC”), on instructions, states that the degree of MA (Economics) possessed by the petitioner is not a valid degree since the Institute from where it was obtained through Distance Education Mode in EIILM University, Sikkim was not a course recognized by the UGC. The UGC has recognized only the degrees of B.A. (Hospitality and Tourism), BCA and MBA att EIILM for the academic year 2009-2010 with no renewal. Even in those subjects, approval has not been accorded thereafter. In support of his submission, Mr. Lehal relies on a decision of this Court in *Devki Nandan and another vs. Kurukshetra University, Kurukshetra (CWP No.8062 of 2014 decided on 17th December, 2015)* wherein this Court held that only the three aforesaid degrees are valid and none-else.

2. On 8th January, 2018, the following interim order was passed

“Present: Mr. Ajay Chaudhary, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

On the oral request of Mr. Chaudhary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi, through its Registrar is impleaded as party respondent No.4. Let notice be issued to the newly impleaded respondent No.4 for 24.01.2018.

Process dasti as well.

Meanwhile, the State will file an affidavit regarding the status/eligibility of a Masters Degree received by the petitioner from EIILM University, Sikkim keeping in mind the decision of the UGC taken in its 508th Meeting (Item No.5.01) held on 27.07.2015 placed on record as Annex P-4 in the connected writ petition bearing CWP No.28048 of 2017. The State would also clarify; whether the petitioner was in service as Extension Lecturer on 24.09.2015. They would also specify on which date, the petitioner was re-engaged and produce the order.

To be shown in urgent list.”

3. Mr.Harish Rathee, Sr.DAG, Haryana has not filed any affidavit and has sought time, but that request is turned down, in view of the clarity brought on the subject matter in dispute by the learned counsel for the UGC maintaining that in the 508th Meeting of the UGC, decision was taken at Item No.5.01 on 27th July, 2015 recommending the State of Sikkim to dissolve the University since its degrees are not recognized beyond the three courses approved, that too, only for one year.

4. Still further, it is stated that as on 24th September, 2014, the petitioner was not in service, and therefore, the status quo order passed by this Court did not mean that he would be re-inducted to service under court directions. It is another matter that the State of Haryana has re-engaged the

status quo meant re-engagement. That view, if prevailed in Government, was wholly misplaced. As the petitioner was not eligible to hold the post of Extension Lecturer, no relief can be granted to him by issuing a mandamus.

5. In view of the above, I find no substance in this writ petition which is accordingly dismissed.

(RAJIV NARAIN RAINA)
JUDGE

24.1.2018
MFK

Whether speaking/reasoned
Whether Reportable

Yes
No