

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.19995 of 2016
Date of decision: 10.12.2018**

Nidhi Sharma and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioners.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Amit Rao, Advocate,
for Mr. Anurag Goyal, Advocate,
for respondent No.2.

Ritu Bahri, J.

Petitioners are seeking direction to the respondents to allow them to continue in service as Extension Lecturers till regular appoints are made.

In this petition, while issuing notice of motion on 26.09.2016, interim direction was given that no contractual arrangement shall be entered into by respondent No.3-College on the post of Assistant Professors/Resource Persons in the subject of Computer Science pursuant to advertisement dated 16.07.2016 (Annexure P-2), if not already done.

Upon notice, written statement on behalf of respondent Nos. 1 and 3 has been filed, clarifying that the petitioners worked in the respondent-college till academic session 2016-2017. In compliance of the instructions dated 20.07.2017, they were not allowed to join back on duty for the academic session 2017-2018. As per order dated 20.07.2017 (Annexure R-1), it was decided that the Extension Lecturers, who have not qualified the NET, have to be removed after coming into force such guidelines. Pursuant to the order

dated 26.09.2016 (Annexure R-2) passed by this Court, office of Director, Higher Education, Haryana, vide letters dated 26.03.2018, 04.04.2018 & 09.04.2018 has clarified the respondent-college that the petitioners be taken back in service, if any other similarly situated ineligible Extension Lecturer was allowed to rejoin. Consequently, the petitioners were allowed to join on their respective posts on 30.03.2018, 07.04.2018 & 10.04.2018 respectively. It is further stated that the petitioners have been paid salary of Rs.23,500/- per month. Respondents have also placed on record copy of order dated 29.07.2016 (Annexure R-4) passed by this Court in CWP No.16975 of 2014, whereby it has been held that non NET qualified Extension Lecturers can be replaced by Extension Lecturers, who are NET qualified.

This petition, at this stage, is disposed of by giving liberty to the respondents to replace the petitioners (who are non NET qualified) by Net qualified Extension Lecturers keeping in view the judgment passed by this Court in CWP No.16975 of 2014 (Annexure R-4).

(RITU BAHRI)
JUDGE

10.12.2018.
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No