

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

Date of Order: April 18, 2018

+ **W.P.(C) 3806/2018 & CMs 15099-100/2018**

SHAILJA BAHUGUNA Petitioner

Through: Mr. T.Singhdev and Mr. Tarun
Verma, Advocates

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. Arun Bhardwaj, CGSC for
respondents No.1 & 3-UOI & SSC
Mr. Apoorv Kurup and Mr.Girijopoti Koushal,
Advocates for respondent No.5-UGC

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Question of equivalence of Degrees is essentially the subject matter of this petition. For the post of Research Assistant, petitioner had applied and as per Select List (*Annexure P-14*), petitioner is at No.1 and as per the Communication of 16th/19th February, 2018 (*Annexure P-15*), post of Research Assistant was offered to petitioner subject to submission of Equivalence Certificate.

2. Learned counsel for petitioner draws attention of this Court to Communication of 19th July, 2016 of respondent-*University Grants Commission (hereinafter referred to as 'UGC')* wherein it is stated that equivalence of Degrees / Diplomas / Certificates, etc., is not determined by UGC. Alongwith this writ petition, information brochure of Association of Indian Universities (*hereinafter referred to as 'AIU'*) is

appended as Annexure P-16 colly., which spells out the role of respondent-AIU. Paragraph No.4 of this information brochure of AIU reveals that AIU is not involved in the equivalence of Degrees offered by Indian Universities, but it impresses upon the Member Universities of AIU to recognize each others' Degrees in order to save the students from hassles.

3. Reliance is placed by petitioner's counsel upon decision of Division Bench of this Court in W.P.(C) 6100/2012 titled *Ms. Nisha v. Union of India and Others*, rendered on 26th November, 2012. Attention of this Court is also drawn to Communication of 21st March, 2018 (*Annexure P-17*) by respondent-*Staff Selection Commission* to second respondent wherein it is stated that petitioner has been recommended by the Commission by observing that her educational qualification satisfies the essential qualification as required by the RR of the above post and so, petitioner's nomination, as recommended by the Commission, cannot be withdrawn. However, it has been left to the User Department, i.e. second respondent, to take the final call. Learned counsel for petitioner submits that the follow-up action on Communication (*Annexure P-17*) is not known till date.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with direction to second respondent to effectively consider Communication of 21st March, 2018 (*Annexure P-17*) and to act upon it within a period of four weeks and to convey its outcome to petitioner within a week thereafter. It is made clear that in case second respondent chooses not to permit petitioner to join as

Research Assistant, then the reasons be spelt out and promptly communicated to petitioner, so that petitioner may avail of the remedies as available in law, if need be. Till the needful is done, one post of Research Assistant in Un-reserved category be not filled up.

5. With aforesaid directions, this petition and the applications are disposed of.

(SUNIL GAUR)
JUDGE

APRIL 18, 2018

s

