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

+ **W.P.(C) 2197/2019**

MEENAKSHI

..... Petitioner

Through: Mr.Puneet Kumar, Advocate

versus

**DELHI SUBORDINATE SERVICES SELECTION
BOARD AND ANR.**

..... Respondent

Through: Ms.Avnish Ahlawat, Standing Counsel,
GNCTD (Services) along with Mr.Nitesh
Kumar Singh and Mr.Palak, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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06.03.2019

CM APPL. 10297/2019

Exemption is allowed, subject to all just exceptions.

Application stands disposed of

W.P.(C) 2197/2019 & CM APPL. 10296/2019

By the present petition, the petitioner assails the order dated 19.2.2019 passed by the Central Administrative Tribunal in OA No.547/2019. The Tribunal has rejected the said application of the petitioner wherein he had assailed the rejection of his candidature for the post of PGT (Commerce) on account of the fact that his post graduate qualification had not been obtained from a recognized university. The admitted position is that the petitioner obtained the post graduate

qualification from the Karnataka State Open University; he started this course in the year 2011 and completed the same in the year 2013. The recognition of the course taken by the petitioner was withdrawn in view of the orders passed by the Supreme Court, de-recognizing the degree obtained through distance learning process. In this regard a public notice dated 16.6.2015 was issued by the UGC, which *inter alia* states as follow:

“1. Karnataka State Open University, Mysore, in collaboration with private institutions/ entities/ coaching centres spread all over the country and even abroad, has been offering programmes through distance learning mode by blatantly flouting the norms, guidelines and directives of University Grants Commission and erstwhile Distance Education Council of Indira Gandhi National Open University, New Delhi. Taking cognizance of this fact, the programmes offered by KSOU, Mysore has not been recognized by UGC beyond 2012-13. This has been done after issue of a Show Cause notice to them on 10.06.2011 and after considering their response including personal hearing of the officials of the University.”

At the time of filing his application against the advertisement in question petitioner was also required to upload his degree granted by the University concerned. Admittedly, no degree has been issued to the petitioner by the Karnataka State Open University, in view of the Public Notice dated 16.6.2015 and, in turn, he has not been able to provide the same to the respondent. The submission of the petitioner is that since he started his post graduate course in the year 2011, whereas the programme undertaken by him is not recognized beyond 2012-2013, hence, he is not covered by the said Public Notice. We cannot accept the submission of the petitioner. Since the petitioner completed the course only in the year

2013, it is clear that the course pursued by him is covered by the Public Notice dated 16.6.2015 issued by the UGC discontinuing recognition beyond year 2012-13 in relation to the Karnataka State Open University regarding programmes conducted through open distance learning mode. Even otherwise the petitioner has not been able to provide the degree to the respondent within the stipulated time, therefore, in our view, the present petition has no merit and the same is accordingly, dismissed.

VIPIN SANGHI, J

A. K. CHAWLA, J

MARCH 06, 2019

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