

CWP-2715-2020 (O&M)& connected cases

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(PROCEEDINGS THROUGH V.C.)

Date of Decision: 16th July, 2020

CWP-2715-2020

Ritika

...Petitioner

Versus

State of Haryana & others

...Respondents

(2)

CWP-38109-2018

Anu Gupta

...Petitioner

Versus

State of Haryana & others

...Respondents

(3)

CWP-29917-2018

Poonam Saini

...Petitioner

Versus

State of Haryana & others

...Respondents

(4)

CWP-26737-2018

Naveen Kumar & another

...Petitioners

Versus

State of Haryana & others

...Respondents

CWP-2715-2020 (O&M)& connected cases

(5)

CWP-28492-2018

Renu Priya

...Petitioner

Versus

State of Haryana & others

...Respondents

(6)

CWP-28046-2018

Nisha & another

...Petitioners

Versus

State of Haryana & others

...Respondents

(7)

CWP-20185-2018

Charu Pipalani

...Petitioner

Versus

State of Haryana & others

...Respondents

(8)

CWP-20021-2018

Sonia Dua

...Petitioner

Versus

State of Haryana & others

...Respondents

(9)

CWP-18926-2018

Nishu

...Petitioner

Versus

State of Haryana & others

...Respondents

CWP-2715-2020 (O&M)& connected cases

(10)

CWP-18963-2018

Suman & others

...Petitioners

Versus

State of Haryana & others

...Respondents

(11)

CWP-19583-2018

Laxmi & others

...Petitioners

Versus

State of Haryana & others

...Respondents

(12)

CWP-20254-2018

Seema Chopra & others

...Petitioners

Versus

State of Haryana & others

...Respondents

(13)

CWP-21028-2018

Sonu Rani & another

...Petitioners

Versus

State of Haryana & others

...Respondents

(14)

CWP-21132-2018

Pinki

...Petitioner

Versus

State of Haryana & others

...Respondents

CWP-2715-2020 (O&M)& connected cases

(15)	<u>CWP-21303-2018</u>	
<u>Saneh Lata</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(16)	<u>CWP-24723-2018</u>	
<u>Manju Lata</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(17)	<u>CWP-24750-2018</u>	
<u>Mukesh Rani</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(18)	<u>CWP-21000-2018</u>	
<u>Pooja Sharma & others</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents
(19)	<u>CWP-21471-2018</u>	
<u>Rakesh</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(20)	<u>CWP-21890-2018</u>	
<u>Ritu</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(21)	<u>CWP-23088-2018</u>	
<u>Deepika & others</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents
(22)	<u>CWP-19792-2018</u>	
<u>Saroj Bala & others</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(23)	<u>CWP-22632-2018 (O&M)</u>	
<u>Bindu</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(24)	<u>CWP-25545-2018</u>	
<u>Rahmaan Khan & another</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(25)

CWP-707-2019

Navita Chhikara

...Petitioner

Versus

State of Haryana & others

...Respondents

(26)

CWP-2233-2019 (O&M)

Preeti Rani & others

...Petitioners

Versus

State of Haryana & others

...Respondents

(27)

CWP-10712-2019

Kiran @ Kiran Khurana

...Petitioner

Versus

State of Haryana & others

...Respondents

(28)

CWP-11571-2019

Amit Kumar & another

...Petitioners

Versus

State of Haryana & others

...Respondents

(29)

CWP-27679-2019

Sangeeta Kumari

...Petitioner

Versus

State of Haryana & others

...Respondents

CWP-2715-2020 (O&M)& connected cases

(30)	<u>CWP-2282-2019</u>	
<u>Rimpy</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(31)	<u>CWP-5756-2019</u>	
<u>Pragati & another</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents
(32)	<u>CWP-8431-2019</u>	
<u>Usha & others</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents
(33)	<u>CWP-2371-2019</u>	
<u>Sarita</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(34)	<u>CWP-9356-2019</u>	
<u>Anshu Yadav</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(35)	<u>CWP-12541-2019</u>	
<u>Deepak Kumar & others</u>		...Petitioners
Versus		
<u>State of Haryana & others</u>		...Respondents
(36)	<u>CWP-4631-2020</u>	
<u>Jagdish Chander Mann</u>		...Petitioner
Versus		
<u>State of Haryana & others</u>		...Respondents
(37)	<u>CWP-3701-2020</u>	
<u>Anju & others</u>		...Petitioners
Versus		
<u>State of Haryana & others</u>		...Respondents
(38)	<u>CWP-3703-2020</u>	
<u>Manisha</u>		...Petitioner
Versus		
<u>State of Haryana & others</u>		...Respondents
(39)	<u>CWP-3908-2020</u>	
<u>Jyoti Dalal</u>		...Petitioner
Versus		
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(40)	<u>CWP-706-2020</u>	
<u>Ravi Kumar</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(41)	<u>CWP-2170-2020</u>	
<u>Shallu</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(42)	<u>CWP-1643-2020</u>	
<u>Tilak</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(43)	<u>CWP-1656-2020</u>	
<u>Sanjay Kumar</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(44)	<u>CWP-2272-2020</u>	
<u>Deepika</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(45)

CWP-2314-2020

Priyanka

...Petitioner

Versus

State of Haryana & others

...Respondents

(46)

CWP-3709-2020

Sunita Choudhary

...Petitioner

Versus

State of Haryana & others

...Respondents

(47)

CWP-2439-2020

Parveen Kumari

...Petitioner

Versus

State of Haryana & others

...Respondents

(48)

CWP-2675-2020

Renu

...Petitioner

Versus

State of Haryana & others

...Respondents

(49)

CWP-2693-2020

Nisha Thakral

...Petitioner

Versus

State of Haryana & others

...Respondents

(50)	<u>CWP-5814-2020</u>	
<u>Ajab Singh</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(51)	<u>CWP-5583-2020</u>	
<u>Dharambir</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(52)	<u>CWP-3631-2020</u>	
<u>Nagender</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(53)	<u>CWP-4371-2020</u>	
<u>Ravi Shankar & others</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(54)	<u>CWP-5538-2020</u>	
<u>Sunita</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

(55)	<u>CWP-5341-2020</u>	
<u>Satya Narayan</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(56)	<u>CWP-6233-2020</u>	
<u>Pradeep Yadav</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(57)	<u>CWP-1765-2020</u>	
<u>Poonam Sharma</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(58)	<u>CWP-3395-2020</u>	
<u>Vijay Singh Lohan & another</u>		...Petitioners
	Versus	
<u>State of Haryana & others</u>		...Respondents
(59)	<u>CWP-6132-2020</u>	
<u>Parminder Kaur</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(60)	<u>CWP-5217-2020</u>	
<u>Poonam</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(61)	<u>CWP-6185-2020</u>	
<u>Raj Shree</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(62)	<u>CWP-3640-2020</u>	
<u>Radha Yadav</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(63)	<u>CWP-2041-2020</u>	
<u>Amita Yadav</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents
(64)	<u>CWP-7736-2020</u>	
<u>Harjit Kaur</u>		...Petitioner
	Versus	
<u>State of Haryana & others</u>		...Respondents

CWP-2715-2020 (O&M)& connected cases

(65)

CWP-7850-2020

Ombir Singh

...Petitioner

Versus

State of Haryana & others

...Respondents

(66)

CWP-3053-2020

Anuradha

...Petitioner

Versus

State of Haryana & others

...Respondents

(67)

CWP-2827-2020

Ritu

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present Mr. Suresh Kumar Kaushik, Advocate,
 Mr. Sandeep Thakan, Advocate,
 Mr. Sajjan Singh, Advocate,
 Mr. Dalbir Singh, Advocate,
 Mr. Gaurav Garg, Advocate,
 Mr. Mukesh Yadav, Advocate,
 Mr. Mazlish Khan, Advocate,
 Mr. Naresh Kaushik, Advocate,
 Mr. Sardavinder Goyal, Advocate
 Mr. Jatinder Nagpal, Advocate and
 Mr. Shalender Mohan, Advocate
 for the petitioner(s).

Mr. Deepak Balyan, Addl. A.G., Haryana.

Mr. Salil Sablok, Advocate
for the UGC in CWP No.18926, 23088, 21000, 21303,
19583, 28046, 18963. 25545, 28492 & 24723 of 2018.

AUGUSTINE GEORGE MASI, J. (ORAL)

By this order, I propose to dispose of CWP No.2715 of 2020, titled as 'Ritika Vs. State of Haryana & others', along with sixty six connected writ petitions (as mentioned in the heading).

2. Counsel for the petitioners have brought to the notice of the Court an order passed by this Court in CWP No.20767 of 2017, titled as 'Anita Vs. State of Haryana & others', dated 25.01.2018 (Annexure P-18), to contend that even the non-eligible candidates, who did not possess 'NET' qualification, were ordered to be considered for filling-up the vacancies in case vacancies are still available. This Court has proceeded to give directions for consideration of their cases in those circumstances in the light of the instructions, which were received by the counsel for the State.

3. Counsel for the State has brought to the notice of the Court that policy guidelines have been framed by the Government of Haryana regarding engaging Eligible Extension Lecturers in Government colleges purely on work requirement basis, dated 04.03.2020 (Annexure R-3). He contends that the claims of the petitioners will be considered as per the said policy guidelines and in case, they are found eligible as per the said guidelines and there is work available, speaking order would be passed in their cases and they will be continued/appointed.

4. On consideration of the submissions made by the counsel for the parties and keeping in view the facts and circumstances of the present case as also the policy of the Government of Haryana dated 04.03.2020, a direction is issued to the Director, Higher Education, Haryana – respondent No.2 to consider the claims of the each of the petitioners in these writ petitions in the light of the policy guidelines dated 04.03.2020 (Annexure R-3) within a period of one month and pass individual speaking orders thereon afresh irrespective of the earlier order(s) passed in their cases and without being influenced in any manner by it. In case the claims of the petitioners are found to fall within the parameters of the policy guidelines dated 04.03.2020 (Annexure R-3), they be continued/appointed. In case the claim of any of the petitioners is found to be not covered by the above policy, details with regard to the clause which renders the petitioner ineligible be specified detailing therein as to what/which qualification is not possessed by the said candidate rendering him/her ineligible for appointment. The speaking order so passed by the Director, Higher Education, Haryana – respondent No.2 shall be conveyed to the petitioners within a further period of one week.

5. After making appointment of the eligible candidates as per the policy guidelines dated 04.03.2020 (Annexure R-3), if there are still vacancies available, even ineligible candidates be considered for continuation/appointment so that the studies of the students do not suffer in any manner because of the teacher being not available.

6. Counsel for the petitioners submit that the workload on the

various posts be uploaded by the Director, Higher Education, Haryana – respondent No.2 so that the petitioners may also be in a position to assess and highlight their claims. To this, counsel for the State submits that the said details are already being uploaded by the concerned authorities. Be that as it may, a direction is issued to the Director, Higher Education, Haryana – respondent No.2 to upload the workload of the posts within a period of one week from today.

7. These writ petitions along with all pending misc. applications stand disposed of with above observations/directions.

16th July, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No