

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 31997 of 2019 (O&M)

Date of Decision: 05.02.2021

Poonam Setia

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. S.P.Arora, Advocate
for the petitioner(s).

Ms. Kirti Singh, Deputy Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

The petitioner was appointed as Extension Lecturer on contract basis. During the pendency of the writ petition, her services were dispensed with on the ground that she is not qualified to be appointed as Assistant Professor or at an equivalent post in the Universities/Colleges/Institutions.

Ms. Kirti Singh, Deputy Advocate General, Haryana, has pointed out that the exemption from passing NET/SLET/SET is available only to the Ph.D holders. It has further been pointed out that the regulations further provide that the candidates, who are registered under the M.Phil/Ph.D programme prior to July 2009, would be governed by the provisions of the then existing ordinances/bye-laws/regulations of the institutions which awarded the degrees. It has further been pointed out that such Assistant Professors have not been exempted from passing NET/SLET/SET. Learned counsel for the respondents has drawn the attention of the

and Others (Latters Patent Appeal No. 331 of 2018, decided on 22.05.2018).

Keeping in view the aforesaid Division Bench judgment, which is binding on the Court, it is apparent that the petitioner does not possess the requisite qualifications.

Learned counsel for the petitioner contends that various Extension Lecturers, who are identically situated, have either been taken back in service or have been retained.

Once the petitioner does not possess the minimum qualification, she does not have any right to continue or to be reinstated. She being ineligible cannot also seek negative parity.

With the observations made above, this writ petition is disposed of.

The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

February 05, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No