

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

217

CWP-525-2017

Decided on: 12.05.2022

Jagdish Rai Singla

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Mr. S.S. Randhawa, Advocate for
Mr. Samrat Malik, Advocate for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

Mr. Sunil Nehra, Advocate
for respondent No.8

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition is to quash the Haryana Service of Engineers Group-A, Public Works (Building & Roads) Department Act, 2010, wherein under Section 6 it has been provided that no degree obtained through correspondence or distance education mode from any university or technical institutional shall be considered for appointment by any mode of recruitment to the service. It further provided that the degree must be approved by All India Council of Technical Education.

The State in its reply has averred that the issue is covered by the ration of the judgment passed in **Orissa Lift Irrigation Corporation Ltd. Vs. Rabi Sankar Patro & others, 2017 (4) SCT 683**. It has further been mentioned that the validity of Engineering Degrees obtained through distance education mode including the institute, which is the Institute for Advanced Studies in Education, Sardar Sahar, Rajasthan, were also in question. The Apex Court in the case of **Orissa Lift Irrigation Corporation Ltd. (supra)** has held as under:-

“48. As regards the students who were admitted after the ex-post-facto approval granted in favour of such Deemed to be Universities, in our view, there was no sanction whatsoever for

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

CWP-525-2017

-2-

their admission. The Policy Statements as well as warnings issued from time to time were absolutely clear. The students were admitted on the strength either provisional recognition or on the strength of interim orders passed by the High Court. We therefore, declare that in respect of students admitted after the academic sessions of 2001-2005, the degrees in Engineering awarded by the concerned Deemed to be Universities through Distance Education Mode shall stand recalled and be treated as cancelled. Any benefit which a candidate has secured as a result of such degrees in Engineering in the nature of promotion or advancement in career shall also stand recalled. However, if any monetary benefit was derived by such candidates that monetary benefit or advantage will not be recovered by the concerned departments or employers. We, further direct that the entire amount paid by such students to the concerned Deemed to be Universities towards tuition fee and all other expenditure for such courses through distance education learning shall be returned by the concerned Deemed to be Universities to the respective students. This direction shall be complied with by the concerned Deemed to be Universities scrupulously and the amounts shall be returned by 31st of May, 2018 and an appropriate affidavit to that extent shall be filed with UGC within a week thereafter.”

Keeping in view the above, we are of the considered opinion that the matter has already been settled against the petitioner by the Apex Court and, therefore, the present writ petition is liable to be dismissed on this score.

Ordered accordingly.

**(G.S. SANDHAWALIA)
JUDGE**

May 12, 2022

Naveen

Whether speaking/reasoned :

Whether Reportable :

**(VIKAS SURI)
JUDGE**

Yes/No

Yes/No