

CWP-13167-2020

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

CWP-13167-2020

Date of decision: 23.02.2023

Kanwar Pal

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Mazlish Khan, Advocate,
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Mr. Sunil Kumar Nehra (Sirsa), Advocate,
for respondent No.3.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to the respondents to consider the claim of the petitioner for the post of Extension Lecturer (Computer Science) in a College where the workload exists, particularly in a College in his home district.

Learned counsel for the petitioner contends that respondent No.5 had invited applications for 02 posts for Extension Lecturers in Computer Science; that in pursuance thereof, the petitioner had applied for the aforesaid post; that despite the fact that the petitioner is a meritorious candidate and fulfils the requisite criteria, he had not been selected for the aforesaid post, and that the selection criteria adopted by respondent No.5 was in contravention with the letter dated 14.03.2017.

Learned counsel for the petitioner further contends that there were certain lapses on the part of the then Principal, Govt College, Jatauli,

CWP-13167-2020

Helimandi, while engaging the Extension Lecturers in Computer Science, for which he has since been charge-sheeted. Learned counsel further contends that in case the workload still exists, claim of the petitioner being a meritorious candidate may be considered, and that the only drawback in the case of the petitioner is that he does not possess the displaced certificate.

Learned counsel for the petitioner further contends that the petitioner has already moved a representation dated 03.03.2020 (Annexure P-6), for redressal of his grievance, which is still pending adjudication, and that the petitioner would be satisfied if the representation (Annexure P-6) is considered by the Director General, Higher Education, Haryana, in a time bound manner.

On the other hand, learned State counsel submits that the petitioner is not a displaced Extension Lecturer as he has never worked as such. However, he raises no objection in deciding the representation (Annexure P-6) in a time bound manner by passing a speaking order.

I have heard the learned counsel for the parties.

Admittedly, the then concerned Principal, Govt. College, Jatauli, Helimandi, while engaging Extension Lecturers in the subject of Computer Science, had not followed the criteria prescribed vide letter dated 14.03.2017. As a result of the same, the petitioner was not selected for the aforesaid post. Owing to the lapses on the part of the then Principal, Govt. College, disciplinary proceedings had been initiated against him and he has since been charge-sheeted under the service Rules.

Keeping in view the request made by the learned counsel for

CWP-13167-2020

the petitioner during the course of hearing, the present petition is disposed of with a direction that in case the workload still exists, respondent No.2 shall consider the claim of the petitioner and decide the representation (Annexure P-6) by passing a speaking order, within a period of three months from the date of receipt of certified copy of this order.

It is made clear that while passing the speaking order, condition of having the displaced certificate, shall not be a reason for declining the claim of the petitioner.

23.02.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No