

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CWP-30052 of 2022 (O&M)

Date of decision: 05.01.2023

Baljit Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Patwalia, Sr. Advocate, with
Mr. Kannan Malik, Advocate,
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash the communication dated 06.04.2022, whereby the B.Tech degree obtained by the petitioner from Janardhan Rai Nagar Rajasthan Vidyapeeth University, Udaipur has been found to be unrecognized.

2. The learned counsel representing the petitioner very fairly admits that in view of the judgment passed in **Orissa Lift Irrigation Corporation Ltd. and others vs. Rabi Shankar Patro and others, (2018) 1 SCC 468**, the petitioner's B.Tech degree has correctly been found to be unrecognized. However, he submits that on the basis of the aforesaid degree the petitioner was admitted in M.Tech (Post Graduation course) and has successfully completed the same. He submits that once the petitioner has completed the Post Graduation course, he cannot be excluded from consideration for promotion on the basis of his unrecognized B.Tech.

degree.

3. This Court has considered the submissions of the learned senior counsel representing the petitioner.

4. There is a provision for reserving 15% promotional quota for the post of Junior Engineer to Sub Divisional Engineer for those who possess a degree of Engineering in the Punjab Water Supply and Sanitation Engineering Wing (Wing A) Service Rules, 2021 (hereinafter referred to as 'the 2021 Rules'). As per the service rules, the petitioner is required to be a degree holder in engineering. Once the petitioner's degree of B.Tech. in Engineering is not recognized by the concerned authority, the petitioner cannot seek the benefit of the Post Graduation degree. Ordinarily, the candidate is admitted to a post graduation degree on the basis of his recognized graduation degree and not otherwise.

5. It is well known that the course content at the stage of bachelor's degree and a post graduate degree are substantially different. In a post graduation course, the effort is to impart education in a specialized field, whereas at the graduation level the effort is to give a broader knowledge of the entire subject.

6. The learned senior counsel submits that the word "degree" will include the post graduation degree. In the first blush, the aforesaid argument appears substantive and firm, however, on a deeper scrutiny is found without substance. On the complete reading of the Rules of 2021, it becomes evident that the expression 'degree' includes only a bachelor's degree but not the post graduate degree in engineering, where the bachelor's degree is unrecognized.

7. Keeping in view the aforesaid facts, the writ petition is dismissed.

8. All the pending miscellaneous applications, if any, are also disposed of.

January 05, 2023

(ANIL KSHETARPAL)

nt

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No