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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2038-2024

Date of Decision: 08.02.2024

Neha Rani

. . . . Petitioner

Vs.

State of Haryana and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sandeep Goyat, Advocate,
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner has challenged the memorandum dated 14.12.2023 whereby the memorandum dated 13.05.2023 issued by the State for eligible Extension Lecturers for consideration of appointment as Assistant Professors of Government colleges has been amended, and it has been provided that only such persons, who were eligible Extension Lecturers and had worked for at least one semester/90 days in one academic year, could be treated as displaced eligible Extension Lecturers.
2. The petitioner submits that she acquired the eligibility namely passing of NET examination on 19.02.2022 and therefore she became eligible for consideration as an Extension Lecturer, since she had already worked at Government P.G. College, Kalka from 2013 to 2017.
3. Learned counsel submits that after 2017, the petitioner's services were dispensed with. However, after having acquired eligibility, she has not

been appointed as Extension Lecturer. Thus, learned counsel submits that the new policy introduced vide memorandum dated 14.12.2023 is arbitrary and discriminatory with those persons who performed duties as Extension Lecturers but acquired eligibility later on.

4. Learned counsel also relies on an interim order passed by this Court in CWP-11653-2023 wherein the earlier memorandum dated 13.05.2023 issued by the respondents was stayed by this Court.
5. Learned counsel appearing for the State of Haryana has on the other hand pointed out that the petitioner had earlier approached this Court by way of writ petition and was directed to submit a representation, and the State was directed to pass a speaking order. She has invited attention to the speaking order passed by the State to submit that the petitioner's services were dispensed with in view of a policy issued on 20.07.2017 by the Department of Higher Education, Haryana which restricted appointment of Extension Lecturers in Government colleges to only those who possess the eligibility criteria laid down by the UGC. Since the petitioner did not possess the eligibility criteria and had not passed NET/SLET/SET upto 2017, her services were discontinued.
6. The petitioner has not challenged the order dated 20.07.2017. Since the benefit is to be given only to eligible Extension Lecturers, the policy was introduced on 13.05.2023, but since it allowed even those who were not eligible Extension Lecturers and had put a cut off date as 04.03.2020, this Court had stayed the said policy. Now, the amendment has been made which takes into consideration the said aspect and all those displaced Extension Lecturers who acquired eligibility on or before 30.06.2023, and had worked for at least one semester/90 days in

one academic year, have been treated eligible for consideration for adjustment in the colleges having sufficient workload. Thus, learned counsel submits that there is no arbitrariness, or the policy cannot be said to be discriminatory.

- 7. We have considered the submissions.
- 8. Individual grievance of any individual person cannot be a ground to quash a policy decision. The two aspects which this Court would have to examine are whether the policy laid down is reasonable, and secondly it has a nexus to the purpose sought to be achieved as has been held by the Supreme Court in *Kuldeep Singh vs. Govt. of NCT, Delhi reported in 2006(6) SCALE 588*. Since the notification dated 04.12.2023 conforms to the observations made by this Court in CWP-11653-2023 dated 26.05.2023 whereby the earlier decision taken by the Government had been stayed, no further interference is warranted.
- 9. It cannot be said that there is any arbitrariness or discrimination, and also there are eligible persons. So far as the petitioner is concerned, she has qualified NET and she can always appear as an open candidate.
- 10. Writ Petition is devoid of merits and is accordingly *dismissed*.

(SANJEEV PRAKASH SHARMA)
JUDGE

(HARSH BUNGER)
JUDGE

February 08, 2024
Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |