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

2024:PHHC:006256
CWP-20930-2014 (O&M)
Date of Decision: 18.01.2024

Harwinder Kaur @ Harvinder Kaur ...Petitioner

Vs.

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Sandeep Bansal, Advocate for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

Mr. Vipin Mahajan, Advocate with
Ms. Chandanpreet Kaur Ahluwalia, Advocate
for respondent No.3.

SANJEEV PRAKASH SHARMA, J.(Oral)

CM-10758-CWP-2023

Learned counsel for the petitioner states that he does not press
this application.

In view thereof, the application is dismissed as not pressed.

CM-10759-CWP-2023

Application for placing on record rejoinder is allowed.

CM-17453-CWP-2023

Application for placing on record rejoinder to affidavit is
allowed.

CWP-20930-2014 (O&M)

1. The petitioner by way of this writ petition seeks regularization on the post of Lecturer/Assistant Professor in a college aided by the State.
2. Learned counsel submits that the petitioner was appointed on contract basis initially for a period of three years in the year 2004 and has been regularly performing her duties. Learned counsel submits that certain ACRs of the petitioner have been treated as ‘average’ due to which, she has been denied regularization, although her case was recommended for regularization and it is prayed that the same be upgraded as outstanding as the subsequent ACRs of the petitioner have been granted as outstanding.
3. The issue with regard to regularization of ad hoc Lecturer/Assistant Professor was examined at length by this Court in the case of CWP-23738-2011, titled as Garima Sood vs. State of Punjab, decided on 14.09.2023 and bunch of other cases, wherein, it was held as under:-

“Since 2002, there have been no Selections in State of Punjab and, therefore, this Court is prompted to pass appropriate orders and it is directed that:-

i) the Punjab State Govt. shall within four weeks’ from today issue an advertisement for filling up the vacant posts of Asstt. Professors in various subjects and shall include the posts which are also meant for the adhoc Lecturers who were appointed on urgent temporary basis or part time basis initially. The said existing adhoc Lecturers would be entitled to participate in the selection process if they possess the minimum eligibility as laid down under the Regulations of 2010. Such adhoc Lecturers would be eligible for being given the benefit of their experience if they achieve a particular bench mark in the written examination which may be fixed by the concerned examining body;

It is made clear that the existing ad hoc Lecturers if selected would fill their respective category of posts;

ii) The reservation of posts shall be made on the total number of posts for each subject;

iii) The reservation policy as followed by the Govt. shall be maintained and the reservation of posts shall be made on the total number of available posts for each subject in all the colleges of the State or Universities;

iv) Keeping in view the protracted litigation pending in the Court since long, it is directed that the candidates participating for open selection should be given appropriate age relaxation. So far as the adhoc Lecturers are concerned, they would be allowed to participate in the selection process without putting embargo of their age criteria.

4. Keeping in view the above, claim of the petitioner for regularization cannot be considered as the post of Lecturer/Assistant Professor is to be filled strictly in accordance with the provisions contained in the UGC Regulations for Appointment of Teachers and other Academic Staff in University and Colleges and Measures for the Maintenance of Standards in Higher Education 2010. The writ petition is devoid of merit and is accordingly dismissed.

5. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

18.01.2024
rajesh

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