

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

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**CWP No.21625 of 2020
Date of Decision : 18.4.2024**

*Ankita Gupta**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Suresh Kumar Kaushik, Advocate, for the petitioner

Mr. Suneel Ranga, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the speaking order dated 17.8.2020, Annexure P-18, whereby the petitioner's request for engagement as eligible extension lecturer has been declined.

2. Briefly, the facts on record are, the petitioner was engaged as extension lecturer on 27.7.2016, and removed due to being ineligible with effect from 14.9.2020. Her representation was decided by the impugned order dated 17.8.2020, pursuant to directions issued by this Court in a batch of writ petitions, rejecting the claim for engagement as extension lecturer.

3. Learned counsel for the petitioner contends that the impugned order has been wrongly passed ignoring paragraph 19 of the Policy Guidelines dated 4.3.2020, Annexure P-13, which require that in case of joining of a newly appointed Assistant Professor, an extension lecturer

will be allowed to deliver lectures if sufficient workload is available. Only if the workload is less, the extension lecturers who do not fulfill the qualifications prescribed by the University Grants Commission (UGC)/State Government norms, are to be relieved first, followed by others as per last-in-first-go principle. Since no such eventuality has occurred and the petitioner could not have been discontinued.

4. Learned State counsel, on the contrary, contends that the petitioner has no right to continue in service as she is not eligible. As per the Policy Guidelines, dated 4.3.2020, only eligible persons can be engaged as extension lecturer, accordingly, her claim has been rightly rejected vide the impugned order.

5. Concededly, the petitioner was not eligible to be appointed for the post of Assistant Professor and, accordingly, for being engaged as extension lecturer as well. She did not possess either Ph.D. or NET certificate at the time of her engagement or removal on 14.9.2020. The Policy Guidelines, dated 4.3.2020, stipulate that only eligible persons are to be engaged as extension lecturers, and the non-qualified shall be removed after coming into force of the Policy. Since the petitioner was not eligible, she was rightly removed from service in terms thereof.

6. Reliance placed upon paragraph 19 of the Policy by learned counsel for the petitioner is misconceived. It only stipulates that on joining of newly appointed Assistant Professors, the extension lecturers may be allowed to continue if sufficient workload is available. However, the situation did not arise, since no newly appointed Assistant Professor had joined, nor was the petitioner's service discontinued on that account.

She had been relieved only on account of being ineligible as per the

Policy requirements which is unexceptionable.

7. For the reasons recorded above, there is no merit in the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

18.4.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No