

2024:PHHC:011075
CWP-1726-2024 (O&M)
Date of Decision: 29.01.2024

...Petitioner

Vs.

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Surmukh Singh, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this writ petition claims the benefit of senior scale on the ground that she had completed '71' days in all by joining short term courses which was more than the required term of '8' weeks. It has also been pointed out that the Department of Higher Education, Government of Punjab, issued orders for extension of the participation in refresher courses beyond 31.12.2000 upto 31.12.2005 and keeping in view the said extension granted, the courses which the petitioner attended from 2002 upto 2004, should be counted for granting the benefit of senior scale.

2. Learned counsel submits the petitioner had completed the short term courses from 01.05.1995 to 20.05.1995 (20 days), 06.05.2002 to 10.05.2002 (05 days), 10.10.2002 to 30.10.2002 (20 days), 19.02.2003 to 11.03.2003 (21 days) and 03.01.2004 to 07.01.2004 (05 days) and thus, the petitioner is entitled for the benefit of senior scale as she has completed '71' days in all.

3. I have considered the submissions.

4. This Court finds that the petitioner's case was examined by the authorities and a Committee was constituted by the Principal of Engineering College for the release of senior scale to the petitioner. As per the AICTE notification, a candidate was required to complete course work for a period of '8' weeks.

5. Learned counsel for the petitioner submits that '8' weeks course work should be treated to have been completed as the petitioner completed '71' days in all while joining short term courses. However, this Court finds such argument to be wholly misconceived. The course work prescribed for '8' weeks is mandatory in terms of the ACP scheme. Thus, a candidate must complete a continuous '8' weeks course and it cannot be interpreted to mean that a person may do short term courses which in all be more than '8' weeks. Such an interpretation as sought to be claimed by the petitioner would defeat the very purpose of the ACP scheme. Since, the petitioner has not completed any course of '8' weeks, the Committee's recommendations for rejecting the claim of senior scale to the petitioner, does not warrant any interference.

6. The writ petition is misconceived and accordingly dismissed.

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

(SANJEEV PRAKASH SHARMA)
JUDGE

29.01.2024

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