



CWP-3226-2020 and connected matter

-1-

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

214

Date of Decision: 11.08.2025

CWP-3226-2020 (O&M)

Sonu Kumar

...Petitioner(s)

Versus

Kurukshetra University, Kurukshetra and others

...Respondent(s)

With

CWP-3232-2020 (O&M)

Sonu Kumar

...Petitioner(s)

Versus

Kurukshetra University, Kurukshetra and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. K.S. Banyana, Advocate for the petitioner(s)

Dr. Neha Awasthi, Additional Advocate General, Haryana

Mr. A.S. Virk, Advocate for respondent no.1/University

Mr. Aaditya Narain Raina, Advocate for respondents no.3 to 5
in CWP-3226-2020

Mr. Mahesh Saxena, Advocate for Mr. Ravi Verma, Advocate
for respondents no.3 to 5 in CWP-3232-2020

TRIBHUVAN DAHIYA, J. (Oral)

The aforesaid petitions are being decided together since common questions of law based on similar facts arise for consideration therein. For brevity, facts are being noticed from CWP-3226-2020.

**CWP-3226-2020 and connected matter****-2-**

2. The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to award ten marks to the petitioner for the National Eligibility Test (NET) and Doctor of Philosophy (Ph.D.) degree for the post of Librarian in Dayal Singh College, which is getting grant-in-aid from the government.

3. Learned State counsel contends that the post in question has been advertised for the aided College. Conditions of service of the College employees appointed on sanctioned posts are governed by the Haryana Affiliated Colleges (Security of Service) Act, 1979 and the rules framed thereunder, i.e., the Haryana Affiliated Colleges (Security of Service) Rules, 2006 (hereinafter referred to as, 'the 2006 Rules'). Rule 6 provides as under:

No person shall be appointed to any post in the Service unless he is in possession of qualifications and experience as specified by the UGC/University/State Government, as the case may be.

The University Grants Commission (for short, 'UGC') has notified regulations regarding minimum qualifications for appointment of teachers and equivalent cadres in Universities and Colleges for maintenance of minimum standards in higher education vide notification dated 01.06.2009. Further, the UGC, vide letter dated 06.07.2015, has laid down that the degrees awarded under the supervision of a guide/supervisor who is not a faculty member of the University concerned or its affiliated PG College, will be in violation of the UGC (Minimum standards and procedure for award of M.Phil./Ph.D.) Regulations, 2009. In terms therewith, the affiliating University/respondent no.1 issued a notification dated 26.11.2015, Annexure R-2, which is to the following effect:

“Universities shall allocate the supervisor from amongst the regular faculty members in a department or its affiliated PG



Colleges/Institutes depending on the number of students per faculty member, the available specialization among the faculty supervisors and the research interest of the student. It is further clarified that any Ph.D./M.Phil degree awarded by a University under the supervision of a supervisor who is not a faculty member of the University or its affiliated PG Colleges/Institutes would be in violation of UGC (Minimum standards and procedure for award of M.Phil. /Ph.D) Regulations, 2009.”

The Committee recommends that if a teacher wants to claim the benefit of M.Phil./Ph.D. Degrees, he/she will be required to comply with the guidelines of the University Grants Commission and will submit the required certificate/document alongwith his/her request.

3.1. She further contends that the petitioner has passed his degree from a private University, namely, Sh. Venkateshwara University, Uttar Pradesh, but he failed to produce a relevant certificate before the selection committee in terms of notification dated 26.11.2015, certifying that supervisor of his Ph.D. degree has been in regular employment of the University or one of its Postgraduate Colleges/Institutes. It is on this account that he could not be given marks for Ph.D. degree by the selection committee.

4. Learned counsel for the petitioner is not in a position to dispute the facts aforementioned. To claim marks for Ph.D., he relied upon a certificate dated 19.12.2019 issued by the private University wherefrom he was awarded Ph.D. degree. A perusal of the certificate however shows that it only mentions the name of the petitioners’ internal guide and co-supervisor for Ph.D., as also the fact that the degree has been awarded to him in January, 2018. The certificate nowhere mentions that his supervisors have been in regular employment of the University or one of its affiliated PG Colleges/Institutes.

**CWP-3226-2020 and connected matter****-4-**

5. In view thereof, it remains undisputed that the petitioner could not establish before the respondents that his Ph.D. supervisors were in regular employment of the University awarding the degree or its affiliated College(s). Therefore, the requirements as per the UGC letter dated 06.07.2015 and the University notification dated 26.11.2015 have not been complied with, and no exception can be taken to the decision not to award him marks for NET and Ph.D. qualification.

6. Resultantly, finding no merit in the petition, it stands dismissed.

7. Pending miscellaneous application(s), if any, also stand(s) disposed of.

8. A photocopy of this order be placed on connected file.

(TRIBHUVAN DAHIYA)
JUDGE

11.08.2025*Payal*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No