

2025:PHHC:080427



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

214

CWP-20227-2001 (O & M)
Date of decision: 07.07.2025

Dharam Pal

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioners.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made is for quashing the letter dated 30.10.2001, Annexure P-1.
2. As per the averments made in the instant case, the petitioner fulfils the requisite qualifications for appointment to the post of Principal, however, his candidature came to be rejected on the ground that he did not have the teaching experience of 16 years and 8 years after Ph.D.
3. Reliance in the index of the petition was placed on the pendency of CWP-6852-1997, titled as **Dr. Satish Kant and others vs. State of Punjab and others**, involving the issue as that of the present case, which came to be dismissed by the Division Bench, vide judgment dated 04.05.2010, against which no SLP was filed, by placing reliance on the judgment dated 7.1.1998 passed in CWP-6828-1997, relevant paras of **Dr. Satish Kant (supra)**, read thus:

“13. As regards first contention, there is no legal bar in laying down different qualification for direct recruitment and promotion. Candidate to be appointed by promotion could be treated as a separate category. As regards the anomaly in reading the rule as laying down requirement of eight years experience before Ph.D degree

and eight years experience after the PhD degree, we are of the view that matter is covered by earlier DB judgment referred to above. It cannot be held that a Ph.D candidate with 16 years experience after Ph.D is excluded. Moreover, the petitioners do not claim to have 16 years experience after Ph.D. Interpretation in the earlier DB judgment does not hold such a candidate to be ineligible. It only says eight years experience after Ph.D is must. We make it clear that a person with 16 years experience with requisite educational qualification will be eligible if eight years or more experience is after Ph.D. It is not necessary that eight years experience should be prior to Ph.D.

14. In view of above, no interference is called for.”

4. In view of the above, the present petition is dismissed.

07.07.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No