

COCP-5108-2025 (O&M)

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

**COCP-5108-2025 (O&M)
Date of Decision: 06.11.2025**

Vikram Saini

.....Petitioner

Vs.

Anindita Mitra and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Varun Aggarwal, Advocate, for
Ms. Kriteka Sheokand, Advocate,
for the petitioner.

Mr. Animesh Sharma, Addl. A.G., Punjab,
for the respondents.

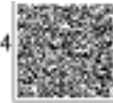
SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 21.05.2025 passed by the Division Bench of this Court in CWP-5700-2017, which was disposed of in terms of judgment dated 09.04.2025 passed in LPA-1843-2019.

2. The relevant para of order/judgment dated 09.04.2025 passed in LPA No. 1843-2019 is reproduced as under:-

“Final Order of this Court.

45. In aftermath, LPA-2003-2019 for the reason aforesaid is allowed to the extent that the cut off dates, as made in paragraph No. 52 of the impugned judgment, for all the reasons (supra) are quashed and set aside besides the notification(s) (supra) (Annexures P-51 and P-53), as



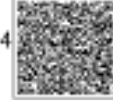
issued by the Distance Education Council, Indira Gandhi National Open University for all the reasons (supra) are also quashed and set aside.

*46. The respondent-State is directed to decide the claims of the appellants herein (**LPA-2003-2019**) without considering the cut off dates besides in view of the observation(s) made by this Court in the instant verdict and subject to the verification of the degrees by the Universities concerned/Government Departments concerned.*

47. The letter patent appeal(s) filed by the State of Punjab, are disposed of but with a direction to the State to decide the claim(s) of each of the writ petitioner(s) herein, but without considering the cut off dates besides in view of the observation(s) made by this Court in the instant verdict and subject to the verification of the degrees by the Universities concerned/Government Departments concerned.

*48. Furthermore, the writ petition(s) [**CWP-27015-2021 & CWP-2438-2021**] become disposed of but with a direction to the respondent-State to decide the claims of the writ petitioners herein without considering the cut off dates besides in view of the observation(s) made by this Court in the instant verdict and subject to the verification of the degrees by the Universities concerned/Government Departments concerned.*

*49. **LPA-1105-2021** is allowed to the extent that the impugned order is quashed and set aside. However, the respondent-State is directed to decide the claim of the appellant herein afresh but without considering the cut off dates besides in view of the observation(s) made by*



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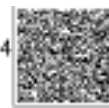
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this Court in the instant verdict and subject to the verification of the degree(s) by the University concerned/Government Departments concerned.

*50. With regard to **LPA-450-2021**, it is relevant to extract the echoings as made at page 66 and 67 of the paper book.*

“This office vide letter No. 2/11/2016-3A2/6122 dated 28.3.2016 required the employee to submit the original educational qualification certificate by 4.4.2016 and appear in this office. This letter was received by the employee on 29.3.2016 and appeared before the undersigned in the office on 4.4.2016 and the employee produced three year detail mark sheet of educational qualification of B.Com and provisional degree, but the employee did not produce the original degree certificate. Thereafter the undersigned discussed the matter with G.M. Punjab Roadways Jagraon, as well as officials of this office and granted three months time to produce the original degree, but the employee still did not produce the original degree certificate of B.Com. The GM PR Jagraon recommended taking action against the employee. Thereafter, status report of EILM University Sikkim was searched on the net and the below mentioned remarks were found :-

“Students are suggested to approach Director (Higher Education) Human Resources Development Department Govt. of Sikkim, Gangtok, Sikkim for any information related to EILM University,



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validity of its course and verification of degrees.”

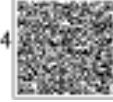
Thereafter this office vide letter No. 2/12/16/3A2/16679 dated 7.8.2017 sent the three years detail mark sheet and the provisional degree certificate submitted by you for verification.

The concerned department of Government of Sikkim made the following remarks in its enquiry report :-

“The name of Tanbir Singh son of Surjit Singh is not available in the EIILM University registration record available with the directorate of higher education office, Government of Sikkim. Therefore, his mark sheet of Bachelor of Commerce bearing enrolment No. EIILMU/09/F14291 is not valid/genuine. He must have acquired his B.Com Degree under EIILMU through distance mode from outside the territorial jurisdiction of Sikkim State which is not valid.”

In this manner as per the remarks in the report the UGC/DEC do not recognize Bachelor of Commerce (B.Com) Course of the ELLM University.”

51. Be that as it may, since the fact (supra) (in **LPA-450-2021**) appears to be a disputed question of fact besides when no opportunity in the instant proceedings can be assigned to the aggrieved concerned to lead apposite rebuttal evidence. As such, after dismissing **LPA-450- 2021**, liberty is given to the appellant-petitioner herein, to avail civil Court remedies, whereby, he may seek a declaration that the said reason qua the



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acquisition of 'his mark sheet of Bachelor of commerce bearing enrolment No. EIILMU/09/F14291 being not valid/genuine', thus is illegal and non-est.

52. *The afore said decisions on the respective claims of each of the appellants-writ petitioners (respectively in the LPA(s) and writ petition(s) (supra), as directed (supra), be decided by the Competent Authority concerned but within a period of four months from today.*

53. *Since the main case(s) itself have been decided, thus, all the pending application(s), if any, also stand(s) disposed of."*

3. Learned counsel for the respondents submits that the State has challenged the above judgment dated 09.04.2025 passed in LPA-1843-2019 before Hon'ble the Supreme Court and Hon'ble the Supreme Court, vide its order dated 16.09.2025 passed in SLP (Civil) Diary No(s). 46242-2025, has ordered to maintain status quo.

4. In view of the above, the present contempt petition is **dismissed**. Liberty is however granted to the petitioner to avail the remedy as is available to him, after the decision of SLP (Civil) Diary No(s). 46242 of 2025.

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

(SUDEEPTI SHARMA)
JUDGE

06.11.2025

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No