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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3868/2025

DR VIJAY PAL SINGH

.....Petitioner

Through: Ms. A. Kumari and Ms. Ravina,
Advocates.

versus

GITARATTAN INTERNATIONAL BUSINESS SCHOOL & ORS.

.....Respondents

Through: Mr. Ankur Chhibber and Mr.
Anshuman Mehrotra, Advocates
for R1.

Dr. Vikrant Narayan Vasudeva,
Mr. Rohit Lochav and Mr. Sarthak
Chiller, Advocates for R-2.

Ms. Rachita Garg and Mr. Agam
Rajput, Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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27.03.2025

1. The petitioner has filed this writ petition for the following reliefs:

"1. Issue a writ of mandamus directing Respondent No.1 to issue a corrected Experience Certificate to the Petitioner, mentioning all relevant employment details, including pay scale, grade pay, allowances, and net salary, in compliance with UGC and BCI norms.

2. Direct Respondent No.1 to provide the Petitioner with salary slips for the period of employment from 12th July 2017 to 4th July 2018.

3. Declare that it is the incumbent duty of statutory bodies (UGC and BCI) to enforce compliance among affiliated institutions, ensuring issuance of Experience Certificates in the prescribed format and supervising adherence to established guidelines."

2. Mr. Ankur Chhibber, learned counsel for respondent No. 1, at the outset, submits that a writ petition in respect of a service dispute is not maintainable against respondent No. 1, which is a private unaided



institution. He relies upon a judgment of the Supreme Court in *St. Mary's Education Society and Another v. Rajendra Prasad Bhargava and Others*, [(2023) 4 SCC 498].

3. Mr. Chhibber states, without prejudice to this contention, that respondent No. 1 has, in fact, issued two Relieving-cum-Experience Letters to the petitioner, one dated 25.07.2018 and the second dated 14.02.2024. A reading of the aforesaid two communications shows that petitioner's post, pay scale, grade pay, and net salary have all been mentioned.

4. Learned counsel for the petitioner and the petitioner, who appears in person, submit that the certificate has to be issued in accordance with University Grants Commission ["UGC"] norms. However, they are unable to point to any UGC norms which specify the format of an Experience Certificate to be issued by a university or college. They draw my attention to Regulation 10.0 (b) of the UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018, which was issued on 18.07.2018. The said clause reads as follows:

"10.0 Counting of Past Services for Direct Recruitment and Promotion under CAS

Previous regular service, whether national or international, as Assistant Professor, Associate Professor or Professor or equivalent in a University, College, National Laboratories or other scientific/professional organisations such as the CSIR, ICAR, DRDO, UGC, ICSSR, ICHR, ICMR and DBT, should count for the direct recruitment and promotion under the CAS of a teacher as Assistant Professor, Associate Professor, Professor or any other nomenclature, provided that:



(b) The post is/was in an equivalent grade or of the pre-revised scale of pay as the post of Assistant Professor (Lecturer) Associate Professor (Reader) and Professor.”

[Emphasis supplied.]

5. It is evident that this clause does not provide for any format in which the certificate is required to be issued, but only provides for the manner in which previous regular service is to be reckoned for the purposes of future employment. The petitioner has apparently applied for a position at the Indira Gandhi National Open University [“IGNOU”], and it is for IGNOU to assess his past service in terms of these Regulations. If he contends that his past service satisfies the Regulations, but IGNOU has not considered the same, then his remedy lies against IGNOU, and not respondent No. 1 herein.

6. At this stage, a request is made that the two Experience Certificates, dated 25.07.2018 and 14.02.2024, be merged into one for ease of reference for future employment.

7. Having regard to the nature of the request, and without prejudice to Mr. Chhibber’s contention with regard to the maintainability of the writ petition, respondent No. 1 is directed to issue an Experience Letter, merging the aforesaid two documents into one, within the next one week.

8. The writ petition is disposed of.

9. It is made clear that the question of maintainability is left open for adjudication in an appropriate case.

PRATEEK JALAN, J

MARCH 27, 2025/uk/JM/