



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

205

LPA-410-2018 (O&M)
Decided on: 17.03.2026

RAJINDER KAUR

. .Appellant

VERSUS

STATE OF PUNJAB AND OTHERS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Sunil Chadha, Sr. Advocate with
Ms. Kashish Aggarwal, Advocate
for the appellant.

Mr. Rahul Rampal, Addl. AG, Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present appeal, the challenge is to the impugned order dated 09.03.2018 passed by the learned Single Judge, wherein, the civil writ petition No.5889-2018 filed by the appellant seeking grant of extension for two years (from 12.01.2018 to 11.01.2020) in service on contract basis, has been declined.

2. Learned Senior counsel for the appellant argues that once the other candidates, who were appointed on contract basis along with the appellant were granted extension in service, the right accrues in favour of the appellant for the grant of extension in service and declining of the said



benefit by the respondent is arbitrary and illegal, which fact has not been appreciated by the learned Single Judge in the correct perspective. Learned Senior Counsel submits that the learned Single Judge has gone on the assumption that the appellant is seeking regularization of her service, whereas, the only prayer made was to grant extension in service on contract basis as granted to the other candidates, who were also working on contract basis. Learned Senior Counsel further submits that there is no difference in service contract of appellant and other candidates to whom extension was granted and therefore, discrimination by non-grant of extension to the appellant is good enough for issuance of direction to the respondent to allow the appellant to continue in service.

3. We have heard learned Senior Counsel for the appellant and have gone through the case file with his able assistance.

4. It may be noticed that the appellant was appointed on contract basis for a period of one year, vide appointment letter dated 02.01.2015. The said appointment letter though shows that the same can be extended up to a period of three years on the basis of requirement of a College and subject to satisfactory performance. It may further be noticed that as per the statutory qualifications for the post of Lecturer, only a candidate possessing a Bachelor of Engineering or B.Tech qualification can be appointed. However, the appellant did not fulfil the said qualification, as she holds only an M.Sc with Ph.D Bio Technology.

5. The contention of learned Senior Counsel is that though the statutory qualification is not fulfilled by the appellant but at the time of the



recruitment on contract basis, the Principal had made post-graduate candidates also eligible and therefore, once the Principal had made post-graduate candidates eligible for the post vide notice dated 05.12.2014 and the appellant was selected, then, for all intents and purposes, the appellant should have been treated eligible, so as to be granted extension.

6. It may be noticed that the letter issued by the Principal, amending the qualifications for appointment on contract basis cannot be treated as equating the eligibility of the appellant with the qualification prescribed under the statutory rules. Once a decision was taken that only those candidates who fulfilled the statutory qualifications would be granted extension, therefore, non-grant of the said benefit to the appellant was perfectly within the jurisdiction of the respondent-college. Once, it is not disputed, even before this Court in the present appeal that the appellant does not fulfil the statutory qualification for appointment as Lecturer, therefore, non-grant of extension cannot be treated as causing prejudice to the appellant or to be perverse.

7. Further, the learned Senior Counsel for the appellant contends that the other candidates, who were also appointed on contract basis, were granted extension, hence, there is a discrimination meted out to the appellant by the respondent-College. It may be noticed that the other candidates who have been granted extension were fulfilling the statutory qualification. Hence, the appellant cannot treat herself equal to the other candidates who were having the qualification as required under the statute. Therefore, the discrimination can only be claimed by a similarly situated candidate, which



fact is missing in the present appeal.

8. Further, it may be noticed that the initial appointment was on contract basis for a period of one year, which could be extended for a period of three years. The appointment was made in the year 2015 and at the most, the extension could be given up to the year 2018. Now, the appellant, who is out of service cannot claim that she should be put back in service so as to grant her extension in service and that too on contract basis.

9. Hence, keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present case, though, it may be noticed that before the learned Single Judge, the claim was *qua* extension on contract basis and not for regularization.

10. Accordingly, the present appeal is dismissed.

11. Pending civil miscellaneous application(s), if any, stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(YASHVIR SINGH RATHOR)
JUDGE

17.03.2026

Priyanka Thakur

Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No