

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:034714-DB



CM-6186-LPA-2025 in/and
RA-LP-93-2025 (O&M)
Date of Decision: 06.03.2026

BOARD OF GOVERNORS NATIONAL INSTITUTE OF TECHNOLOGY
KURUKSHETRA AND OTHERS

...Review Applicants

V/S

ABHISHEK KAMBOJ AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Amar Vivek, Advocate and
Ms. Sanchi Bindra, Advocate for the review applicants.

Mr. Tejpal Dhull, Advocate for the respondents.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-6186-LPA-2025

Delay of 83 days in filing the accompanying review application
has been satisfactorily explained.

In that view of the matter, delay of 83 days in filing the review
application is condoned.

RA-LP-93-2025 (O&M)

1. Heard learned counsel for the parties.
2. Application has been filed by the employer – National Institute of Technology, Kurukshetra, seeking review of judgment dated 22.04.2025, on the ground that issues which were not the subject-matter of consideration

before the learned Single Judge and in respect of which no relief was sought, has been granted by this Court.

3. It transpires that respondent No.2 – writ petitioner was appointed as Assistant Professor on contractual basis in the year 2017. The writ petition was filed by the respondent(s) claiming minimum of pay scale as well as dearness allowance. Learned Single Judge allowed such claim vide judgment dated 22.04.2025.

4. Aggrieved by such determination by the writ Court, the employer has filed an appeal.

5. By an interim order passed in the appeal, the appellant – employer was directed to implement the order of the learned Single Judge. At the time of final hearing of the appeal, the employer confined its claim only with respect to respondent No.2 – Sunil Sharma, primarily on the ground that he does not possess Ph.D. It was in that context that this Court proceeded to observe as under:

“4. Learned counsel further submits that in terms of the advertisement initially issued, he was to be paid on a fixed salary basis and therefore, cannot claim the benefits as granted under the Resolution of the Board of Governors to the other respondents. On 21.04.2025, learned counsel appearing for respondent No.2-Sunil Sharma informed the Court that he has acquired the Ph.D. qualification while in service on contractual basis. He, therefore, asked the learned counsel for the appellants to apprise this Court whether the Ph.D. qualification acquired by respondent No.2 has been accepted and entered in his service record. While learned counsel for the appellants does

not want to commit to the said aspect, he fairly admits that respondent No.2 has indeed acquired Ph.D. qualification during the tenure of his contractual service.

5. Keeping in view the fact that respondent No.2 has now acquired the requisite qualification for regular appointment to the post of Assistant Professor and he has been working on contractual basis, we do not find any justification to deprive him of the benefit of the Resolution passed by the Board of Governors and the recommendations of the 7th Pay Commission, as implemented w.e.f. 01.01.2016 and extended to the other similarly situated respondents.”

6. Learned counsel for the review applicants submits that the applicable rules of recruitment provides for three distinct posts of Assistant Professor in the institute. A contractual appointment can be offered on the post of Assistant Professor even to a candidate who possesses post-graduation and does not possess Ph.D. There are two other channel of Assistant Professors with minimum qualification of Ph.D. and Ph.D. with experience. Separate scales of pay are prescribed for all three distinct categories of Assistant Professors. It is, therefore, submitted that this Court while making the above observation has embarked upon an adjudication which was not warranted in the facts and circumstances of the present case.

7. Learned counsel for the respondents, however, submits that while disposing of the appeal, this Court had only endorsed the benefits which were granted to the respondents by the learned Single Judge.

8. In view of the above, we clarify that this Court while disposing of the matter on 22.04.2025, had restricted the grant of benefit to the

respondents in terms of the directions issued by the learned Single Judge.
Any observation in the order dated 22.04.2025, would not be construed as an expression of opinion on the status and qualification of the respondent – Sunil Sharma, which would be open for appropriate examination by the competent authority.

- 9. The review application is disposed of accordingly.
- 10. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

06.03.2026
rajesh

- 1. Whether speaking/reasoned? : Yes/No
- 2. Whether reportable? : Yes/No