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

**CWP-28113-2023
DECIDED ON: 06.05.2026**

YOGESH KUMAR AND ANOTHER

.....PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Birender Singh Rana, Sr. Advocate with
Mr. Neeraj Mann, Advocate and
Ms. Mehak Sawheny, Advocate
for the petitioner(s)

Ms. Mayuri Lakhanpal Kalia, DAG Haryana

Mr. Nitin Kaushal, Advocate and
Mr. Sahil, Advocate for respondent No.3

Mr. A.S. Virk, Advocate for respondent No.4

Mr. Akash Yadav, Advocate and
Mr. Naveen S. Bhardwaj, Advocate
for respondent No.5

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for the issuance of an appropriate writ order or direction in the nature of mandamus directing the respondent department to act upon the dated clarification 21.04.2023/24.04.2023 (P-5) and representation dated 07.08.2023/24.07.2023(P-6) whereby the petitioners sought updation of their service record by recording their higher qualification i.e., B.Tech (Civil), regular

degree obtained from institute of respondent no. 5 by pursuing the 2nd shift course approved by AICTE- respondent no 3.

This Court, while issuing notice of motion in its order dated 25.01.2024, after considering the written statement filed on behalf of respondents No. 1 to 4 separately, as well as the replication to the written statement filed on behalf of respondents No. 1 and 2, directed the respondents, vide its order dated 24.04.2026, to file an affidavit clarifying whether the petitioner's degree was obtained on a part-time or regular basis from a recognized institute, and whether the same would be considered for all intents and purposes, including in the seniority list published on 21.06.2024, without prejudice to the rights of the petitioner.

Pursuant thereto, an affidavit dated 01.05.2026 was thereafter filed by Mr. Anil Kumar Dahiya, Engineer-in-Chief (HOD), Haryana Public Works (B&R) Department, i.e., respondent No. 2, and the Court deems it appropriate to reproduce the material contents thereof from paragraphs 4 to 6, which read as under:

That it is submitted that All India Council for Technical Education Respondent no. 3) informed Engineer-in-Chief (respondent no.2) vide letter dated 22.12.2023 that All India Council for Technical Education has issued a Public Notice dated 13.08.2020 vide which it has been clarified that Regular Programme are those where classes are held in face to face mode and classes can be held in normal day timings (first shift, second shift, evening shift, part time, weekend etc.). As long a classes are held and students physically attend classes, this is a regular Programme. That for the kind perusal of the Hon'ble Court, Public Notice dated 13.08.2020 is annexed as Annexure P-7 with the writ petition.

5. That the degree of B. Tech. (Civil) has been updated in the service record of the petitioners as annexure P-3 of the writ petition which is

duly verified by Maharashi Dayanad University vide its letter dated 09.03.2021 as well as the same has been duly recorded in the seniority list issued by the office of Engineer-in-Chief (Respondent No.2) vide letter no. 81110- 81181 dated 21.06.2024 (Annexure R/2-8).

6. The petitioners shall be granted all consequential benefits including promotion arising on their turn in light of their B. Tech Civil Engineering degree.

In the light of above, it is stated by Learned Senior Advocate for the petitioner before this Court that since the respondents have agreed to grant all consequential benefits including promotion, on the basis of their their B.Tech Civil Engineering Degree, this petition has been rendered infructuous.

Accordingly, the same is disposed of, as having been rendered infructuous.

06.05.2026
Meenu

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No