



LPA-519-2025 (O&M)

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

Sr. No.123

LPA-519-2025 (O&M)

Date of decision : 19.02.2025

RASHMI GERA AND OTHERS

..... Appellants

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Bhupinder Malik, Advocate for the
appellants.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The appellants were working as Extension Lecturers in the subject of Mathematics and Computer Science. It is stated that they were on contract basis in 2013-14 with notional breaks and their work was satisfactory. However it is an admitted position that they have neither passed the NET qualification nor they are Ph.D. Holders. It is stated that they have of course now been enrolled in Ph.D. course and they should be therefore allowed to continue as Extension Lecturers in the concerned subjects on contract basis.

2. The challenge is to the order passed by the learned Single Judge dated 28.01.2025, whereby the learned Single Judge refused to accept the claim of the appellants as stated above and held them to be ineligible to continue as extension lecturer.

3. It would be apposite to quote the observations :

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“6. *It is apparent on record that none of the petitioners is qualified to be appointed as Extension Lecturer in the College. There is clear stipulation in the Policy guidelines, dated 04.03.2020 and 02.11.2023, that only eligible Extension Lecturers can be engaged in the Government colleges, and the ineligible are to be disengaged/relieved. Also, there are clear directions issued by the Division Bench also that in the interests of students, ineligible Extension Lecturers cannot be allowed to work and are required to be relieved forthwith. The respondents are accordingly mandated to take action and relieve such Extension Lecturers. Merely because there is unmet workload in the College concerned, it would not give any right to the petitioners to continue in service. In case the Department requires to engage services of Extension Lecturers for the purpose, it can be done by engaging the eligible ones in terms of the Policy guidelines. The fact that petitioners have already taken admission in Ph.D. and are about to complete the same, can also not afford them a ground to continue in service since as on date they are ineligible, and have no right to continue in terms of the stipulation in the Policies.*

7. *It also needs a mention that the impugned order refers to Policy guidelines dated 04.03.2020, which now stand replaced by the guidelines dated 02.11.2023. The mistake is inconsequential since the stipulation that only the eligible can be engaged as Extension Lecturers and the ineligible are to be removed, is there in the later guidelines as well. Therefore, wrong mentioning of the date of Policy guidelines cannot give any right to the petitioners to continue in service despite being ineligible.”*

4. The order passed by learned Single Judge is strictly in consonance with the provisions of UGC Guidelines. Once the post is to be filled in terms of the UGC Regulations which require a Lecturer/Assistant Professor to possess minimum qualification of having passed NET/Ph.D. in terms of the Rules, 2009, no person who does not possess the said qualification can be allowed to continue to teach the students in various colleges. We are therefore, of considered opinion that no interference is

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warranted to the order passed by the learned Single Judge and we affirm the same.

5. LPA stands dismissed accordingly.

6. However, it goes without saying that if the appellants acquire the qualification as required under the UGC Regulations, it would be always open to the State or the respective colleges to employ them as Extension Lecturers as and when the posts are available.

7. Pending application(s), if any, also stands disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

(KIRTI SINGH)
JUDGE

19.02.2025

Kavita

Whether speaking / reasoned

Yes/No

Whether Reportable

Yes/No