IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

127 **CWP-5362-2025**
Date of Decision: 25.02.2025

Chander Bhan ……..…Petitioner

Versus

State of Haryana and others ……....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Jasbir Mor, Advocate, for the petitioner.

TRIBHUVAN DAHIYA , J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 17.02.2025, Annexure P-9, passed by the second respondent, and the consequential order dated 18.02.2025, Annexure P-10 passed by the third respondent, whereby the petitioner's services as Extension Lecturer in Political Science have been dispensed.

2. Learned counsel contends that the petitioner has qualified the State Level Eligibility Test (SLET) for lecturership which is equivalent to the National Eligibility Test (NET), and has been issued a certificate to that effect dated 12.01.2005, Annexure P-2. This makes him eligible for the post of Assistant Professor as per the Service Rules. Being eligible, he was engaged by the Department as Extension Lecturer with effect from 01.08.2016, and continued working till the passing of the impugned order.

3. During service, petitioner was issued a show cause notice, dated 28.01.2025, Annexure P-7, to explain as to why his services may not be dispensed with being not qualified. In reply, vide letter dated 29.01.2025, Annexure P-8, he informed the respondents that he has cleared SLET which has been accredited by the UGC. On that basis he is eligible for the post

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irrespective of his qualification of Ph.D from the Singhania University, Jhunjhunu, Rajasthan. This factum of his eligibility on the basis of SLET was not considered by the Department before passing the impugned order. It shows non-application of mind to the relevant facts which has materially prejudiced the petitioner's rights. His services have been dispensed with in violation of the Principles of Natural Justice. In these circumstances, the petitioner again represented to the Department by submitting a representation dated 18.02.2025, Annexure P-11, requesting to reconsider the impugned speaking order, however, no action in this regard has been taken so far.

4. Learned State counsel is not in a position to dispute that the impugned speaking order has been passed without taking into account the petitioner's claim of eligibility on the basis of SLET cleared by him on 12.01.2005. He fairly contends that the pending representation dated 18.02.2025 will be decided and a fresh speaking order will be passed by the second respondent/Director, Higher Education Department after considering the petitioner's SLET certificate, within ten days from today.

5. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

6. Ordered accordingly.

7. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹ 50,000 to the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

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

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