

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

Civil Writ Petition No.11156 of 2009

Date of decision:23.12.2009

Ami Lal Saini and anotherPetitioners

versus

Union of India and others ...Respondents

II. Civil Writ Petition No.1154 of 2009

Vedpal Malik and anotherPetitioners

versus

Union of India and others ...Respondents

III. Civil Writ Petition No.7431 of 2009

Chaman Lal SharmaPetitioner

versus

Union of India and others ...Respondents

IV. Civil Writ Petition No.9513 of 2009

Mahipal Gautam and anotherPetitioners

versus

Union of India and others ...Respondents

Present: Mr. Balraj Singh Rathee, Advocate, for the petitioners.

Ms. Geeta Singhwal, (in CWP Nos.11156 of 2009 and 1154 of 2009); Mr. Surjit Singh Choudhary (in CWP No.7431 of 2009) and Ms. Anjali Kukkar (in CWP No.9513 of 2009)
Central Government Standing Counsel, for the respondents.

CORAM: HON'BLE MR. JUSTICE K. KANNAN

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not ?
3. Whether the judgment should be reported in the digest ?

K.Kannan, J. (Oral)

CM No.20440 of 2009

C.M. is allowed. Documents are taken on record.

Civil Writ Petition Nos.11156,1154, 7431 & 9513 of 2009

1. All the writ petitions relate to claim by the respective petitioners that they have diploma certificates from recognized institutes and they also have 10 years of technical experience in the appropriate fields. By a notification issued by the Ministry of Education and Social Welfare, Department of Technical Education, dated 26.05.1977, and acting on the recommendations of the Board of Assessments for Educational qualification and the Recommendation of Defence Director (Technical), the Government of India has decided to recognize such diploma with 10 years experience as equivalent to a degree in engineering. The notification further states that it shall be valid for the purpose of selection to gazette post and service under the Central Government or the State Government. It is not denied that all the petitioners have diploma and also the requisite number of years namely, more than 10 years of technical experience in the appropriate fields. They are, therefore, entitled to be recognized as possessing degrees in engineering. This issue was considered in a decision of this Court in Civil Writ Petition No.17974 of 2006 in Devinder Singh Malik Versus HPGCL, Panchkula that a person who holds a diploma with the requisite

number of years of experience shall be entitled to be issued with a degree certificate. Following the decision of the Division Bench of this Court, I direct that the respondent No.3 under whom the respective petitioners were in service shall issue the certificate to the effect that by virtue of the possession of diploma with the requisite experience, they shall be treated as having degree in engineering in the respective fields of academic discipline.

2. All the writ petitions are allowed in the above terms.

(K.KANNAN)
JUDGE

23.12.2009
sanjeev