

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

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**CWP No.12505 of 2009  
Date of Decision: 15.07.2010**

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Rohtash Kumar Nehra and another . . . . Petitioner

VS.

Union of India and others . . . . Respondents

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**CORAM : HON'BLE MR.JUSTICE SURYA KANT**

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**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?**

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Present: Mr. BS Rathee, Advocate for the petitioners

Ms. Geeta Singhwal, Advocate for respondents No.1 to 3

Mr. Ravi Dutt Sharma, DAG Haryana for respondent No.4

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**SURYA KANT J. (ORAL)**

- (1). The petitioners are ex-personnel of the Indian Air Force who served in the Technical trade w.e.f. 21.05.1986 to 31.05.2006 and 26.06.1980 to 30.06.2006, respectively. The India Air Force has issued Certificates dated 12.12.2008 and 13.03.2009 (Annexure P-11 & P-12) to the petitioners in recognition of the technical qualification possessed by them. There can indeed be no quarrel that the petitioners being in possession of 'Diploma in Engineering' with more than 10 years of technical experience in the appropriate field, are entitled to be recognized as Degree-holders in Engineering in terms of the Government of India,

Ministry of Education and Social Welfare Notification dated May 26, 1977 (Annexure P-8).

- (2). However, the Certificates dated 12.12.2008 and 13.03.2009 (Annexure P-11 & P-12, respectively) do not meet the above-stated requirement in a clear and categorical manner.
- (3). Respondent No.3 is, accordingly, directed to certify that the petitioners, on the basis of their 'Diploma in Engineering' along with more than 10 years of 'technical experience' in the appropriate field are deemed to be in possession of 'Degree in Engineering' in terms of the above-mentioned Government of India Notification (Annexure P8). The Certificate of Degree in Mechanical Engineering shall be issued in favour of the petitioners within a period of one month from the date of receipt of a certified copy of this order.
- (4). As far as the recognition of the petitioners' qualification by respondent No.4 is concerned, suffice it to say that once the Diploma along with the requisite technical experience possessed by the petitioners is formally treated equivalent to the 'Degree in Engineering' by the Government of India, respondent No.4 shall also be obligated in law to recognize and accept the said qualification as equivalent to Degree in Engineering.

The writ petition is disposed of with a further direction to respondent No.4 to treat the petitioners as Degree-holders for all intents and purposes.

(5). Ordered accordingly.

(6). **Dasti.**

**(SURYA KANT)  
JUDGE**

**15.07.2010**

*vishal shonkar*