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(1986) 11 SC CK 0037

In the Supreme Court Of India

Case No : Civil Appeal No. 4161 Of 1986

Suresh Pal and Others — APPELLANT

Vs

State of Haryana and Others — RESPONDENT

Date of Decision : 07-11-1986

Acts Referred:

Citation : AIR 1987 SC 2027 : (1987) 2 SCC 445

Hon'ble Judges : P. N. Bhagwati, C.J;Ranganath Misra, J

Bench : Division Bench

Final Decision : Allowed

Judgement

1. Special Leave granted.

2. The certificate course in Physical Education in Shri Hanuman Vayayam Prasarak Mandal, Amravati, Maharashtra was recognized by the Government of Haryana in 1975 for appointment to the post of Physical Training Instructor in Govt. Schools in Haryana. On the basis of this recognition granted by the State of Haryana to the certificate course of physical education in this Institute in Amaravati, the petitioners joined the certificate course and were receiving instruction in this Institution until 9th January, 1985 when the State of Haryana derecognized the certificate course with the result that the certificates obtained by the petitioners at the end of the certificate course became useless for obtaining service as Physical Training Instructor in Haryana. The petitioners, therefore, filed a Writ Petition in the High Court of Punjab and Haryana for a writ directing the State of Haryana to recognise the certificates obtained by them, because they had joined the course on the basis of the recognition given by the State of Haryana and the recognition was in force at the time when they joined the course. The Writ Petition was however rejected summarily by the High Court and hence the present appeal by special leave.

3. We are of the view that since at the time when the petitioners joined the course, it was recognised by the Govt. of Haryana and it was on the basis of this

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recognition that the petitioners joined the course, it would be unjust to tell the petitioners now that though : at the time of their joining the course it was reognized, yet they cannot be given the benefit of such recognition and the certificates obtained by them would be futile, because during the pendency of the course it was derecognized by the State Govt. on 9th January, 1985. We would, therefore, allow the appeal and direct the State Govt. to recognize the certificates obtained by the petitioners and others similarly situate as a result of completing the certificate course in Shri Hanuman Yayayam Prasarak Mandal Amravati for the purpose of appointment as Physical Training Instructor in Govt. Schools in Haryana. Of course, if any person has joined the certificate course after 9th January, 1985 he would not be entitled to the benefit of this order and any certificate obtained by him from the said Institute would be of no avail. There will be no order as to costs of the appeal.

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