

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

**CWP No.13649 of 2013
Date of Decision:25.03.2015**

Dr. Abhimanyu Parmar

. . . . Petitioner

Vs.

Punjab State Veterinary Council and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.H.K. Aurora, Advocate,
for the petitioner.

Mr.A.S. Virk, Advocate, for
Mr.P.S. Thaira, Advocate,
for respondent No.1.

Mr.S.K. Sharma, Advocate,
for respondent No.2.

Mr.Vipul Aggarwal, Advocate, for UOI.

RAKESH KUMAR JAIN, J. (ORAL)

This petition has been filed for seeking a writ in the nature of certiorari, quashing the impugned order dated 6.11.2012 (Annexure P-13), passed by the Veterinary Council of India (respondent No.2) and notice dated 9.4.2013 (Annexure P-14) issued by the Punjab State Veterinary Council (respondent No.1).

In brief, the petitioner obtained the degree of Bachelor of Veterinary Science and Animal Husbandry (B.V.Sc. & A.H.) from the Rajasthan Agriculture University, Bikaner (at present Swami Keshvanand Rajasthan Agriculture University, Bikaner) while studying in Apollo College of Veterinary Medicine, Jaipur. The

provisional degree was issued to the petitioner on 9.9.2009 and final degree on 4.5.2010. The petitioner was appointed as doctor in the Veterinary Hospital at Saila Khurd, Block Garhshankar, District Hoshiarpur by the Zila Parishad on 11.7.2011 but on 6.11.2012, respondent No.2 (Veterinary Council of India) ordered for deleting the name of the petitioner from the State Veterinary Register on the ground that the degree of B.V.Sc. & A.H. granted by Swami Kesvanand Rajasthan Agriculture University, Bikaner and Rajasthan University of Veterinary Animal Science, Bikaner in respect of Apollo College of Veterinary medicine, Jaipur and Mahatma Gandhi Veterinary College, Bharatpur were not included in the Ist Schedule of the Indian Veterinary Council Act, 1984 [for short 'the IVC Act'] and thus the qualification acquired by the petitioner was not recognised for the purpose of said Act. It was also stated that as per information received from the Directorate General of Remount Veterinary, Quarter master General Branch, New Delhi, the certificate issued to the petitioner vide registration certificate No.PB.SVC/2914 dated 12.11.2009 has been issued in contravention of the provisions of the IVC Act. On 9.4.2013, respondent No.1 served a notice to the petitioner to show cause as to why his name should not be deleted to which he filed a reply on 25.4.2013.

At the time of notice of motion, it was ordered that the name of the petitioner should not be deleted from the register and the said order is still continuing.

Learned counsel for the petitioner has informed the Court that now the matter has been set at rest by the Supreme

Court while deciding C.A. No.6842 of 2014 titled as **“Apollo College of Veterinary Medicine Vs. Rajasthan State Veterinary Council and others”** decided on 25.7.2014, in which the following order has been passed: -

“In the facts and circumstances of the case, we are of the view that the Division Bench of the High Court should have given a possible legal solution in respect to the students who have already passed out from the Apollo College and the Mahatma Gandhi College affiliated to Swami Keshwanand Rajasthan Agricultural University, Bikaner by directing the Central Government to make appropriate amendment in the First Schedule of the Indian Veterinary Council Act, 1984 so as to include the Apollo College and the Mahatma Gandhi College in the First Schedule for the purpose of recognition of B.V.Sc. & A.H. degree on or before 11th July, 2011 in so far as it relates to Apollo College and 8th December, 2011 in respect of Mahatma Gandhi College. We direct accordingly. So far as the other students who have been admitted in the Apollo College and the Mahatma Gandhi College and are pursuing their studies are concerned the Central Government is directed to call for a fresh report from the Veterinary Council of India and to pass appropriate order u/s 15 (2) r/w Section 21 (4) of the Indian Veterinary Council Act, 1984. In case it is not possible to recognize the Apollo College and the Mahatma Gandhi College beyond such date as ordered above, the Veterinary Council of India is directed to take steps to transfer the students to some other recognized

*Colleges against their corresponding year
to complete the B.V.Sc. & A.H. course.”*

Since, the petitioner has obtained his degree before the cut off date i.e. on 11.7.2011, therefore, the order passed by respondent No.2 would not affect his degree for the purpose of deletion of his name from the State Veterinary Register.

In view of the aforesaid discussion, the present petition is hereby allowed and the impugned order dated 6.11.2012 (Annexure P-13) and the notice dated 9.4.2013 (Annexure P-14) are hereby quashed.

25.03.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**