

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

CWP No. 14402 of 2014

DATE OF DECISION : 05.08.2015

Kuldeep and others

.... PETITIONERS

Versus

State of Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. R.S. Tacoria, Advocate,
for the petitioners.

Ms. Kirti Singh, DAG, Haryana.

* * *

SATISH KUMAR MITTAL, J. (Oral)

Three petitioners, namely Kuldeep; Sanjeev; and Sheo Pal, have filed this petition seeking direction to the respondents to issue them roll numbers and to interview them for the post of Veterinary Livestock Development Assistant (VLDA).

Vide Notification dated 28.02.2011 (Annexure P-8), while framing the Haryana Veterinary Headquarter and Field (Group-C) Service (Amendment) Rules, 2011 (hereinafter referred to as 'the Amended Service Rules of 2011'), the Haryana Veterinary Headquarter and Field (Group-C) Service Rules, 1999 (hereinafter referred to as 'the Service Rules of 1999') were amended. As per the Amended Service Rules of 2011, the following

academic qualifications are required for direct recruitment to the post of VLDA :

- (i) Matric or its equivalent from any recognized University/Board/ Institution;
- (ii) two years Veterinary Livestock Development Assistant Diploma Course from Chaudhary Charan Singh, Haryana Agricultural University, Hisar or any other Institution recognized/ approved by the Haryana Government as specified in Appendix – E;
- (iii) knowledge of Hindi/Sanskrit upto Matric Standard or Higher Education.

It is the case of the petitioners that they have passed the Veterinary Livestock Development Assistant Diploma Course through Directorate of Distance Education from Vinayaka Missions University, which is recognized by Indira Gandhi National Open University, New Delhi. The respondents have not considered the said Diploma to be equivalent to the Diploma required for the post of VLDA under the Amended Service Rules of 2011, as the Vinayaka Missions University is not recognized/approved by the Haryana Government. Therefore, considering the petitioners to be not eligible as per the Amended Service Rules of 2011, their applications for the post of VLDA were not entertained by the authorities. This action of the respondents has been challenged by the petitioners in this petition along with the amendment made in the Service Rules of 1999.

Vide interim order dated 24.07.2014, the petitioners were permitted to be interviewed provisionally for the post in question and the

result was ordered to be kept in a sealed cover.

In similar petition (**CWP No. 1640 of 2008, titled as Kartar Singh versus Union of India and others, decided on 06.11.2012**) which was decided along with number of other writ petitions and Letters Patent Appeals, it was held by the Division Bench of this Court that the candidates having passed Diploma courses from the Institutions which were not recognized by the State Government were not eligible for appointment to the posts.

Learned counsel for the petitioners states SLP against the aforesaid judgment is pending in the Apex Court.

Since in view of the interim order dated 24.07.2014 passed in this case, the result has not been declared so far, therefore, various other candidates, who also applied for the post in question, are suffering. Thus, till the decision of the SLP against the aforesaid decision in **Kartar Singh's case** (supra), this petition cannot be kept pending.

Consequently, in view of the fact that the controversy involved in this petition has already been decided by this Court in **Kartar Singh's case** (supra), this petition is dismissed.

(SATISH KUMAR MITTAL)
JUDGE

August 05, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE