

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2493 of 2014 (O&M).
Date of Decision : 23.02.2015.

Vinay Punia and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Kuldeep Sheoran, Advocate for the petitioners.

Mr. Gagandeep S. Wasu, Addl. Advocate General, Haryana.

Rajesh Bindal, J.

The petitioners, who were selected and appointed as Veterinary Surgeon, HVS-II in Animal Husbandry and Dairying Department, have filed the present petition impugning the order dated 31.01.2014 (Annexure P-6) of their termination on the ground that the Institutes from which they had qualified their Bachelor of Veterinary Science and Animal Husbandry, namely, Apollo College of Veterinary Medicine Jaipur and Mahatma Gandhi Veterinary College, Bharatpur (Rajasthan) had been de-recognized.

Learned counsel for the petitioners, while referring to the judgment of Hon'ble the Supreme Court in Civil Appeal No. 6842 of 2014 '**Apollo College of Veterinary Medicine Vs. Rajasthan State Veterinary Council & Others**', decided on 25.07.2014 submitted that it has been opined in the aforesaid judgment that the candidate, who had passed out from Apollo College on or before 11.7.2011 and from Mahatma Gandhi College on or before 08.12.2011, shall be eligible. The petitioners in the present case had passed their B.V.Sc. & A.H. course from the aforesaid colleges prior to the aforesaid dates fixed by

Hon'ble the Supreme Court. Hence, they were eligible for appointment and the ground for their termination will not stand.

Learned State counsel while not disputing the aforesaid judgment of Hon'ble the Supreme Court submitted that opinion was sent by the office of Advocate General to the Animal Husbandry Department for withdrawal of the termination orders but till date, he has not received any response.

After hearing learned counsel for the parties and considering the judgment of Hon'ble the Supreme Court in **Apollo College of Veterinary Medicine (supra)**, the candidates, who had got degree of Bachelor of Veterinary Science and Animal Husbandry from Apollo College of Veterinary Medicine Jaipur on or before 11.07.2011 and Mahatma Gandhi Veterinary College on or before 08.12.2011 are to be treated eligible and the petitioners having qualified from the aforesaid Institutes prior thereto, in my opinion, the termination of their services on the ground that the Colleges from which they had passed their B.V.Sc. and A.H. qualifications were not recognized, does not stand any more. Hence, the impugned order dated 31.01.2014 of termination (Annexure P-6) is set-aside.

Petition disposed of.

February 23, 2015.
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(RAJESH BINDAL)
JUDGE