

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.6673 of 2019 (O&M)

Date of Decision.30.09.2019

Dr. Sanjeev Kumar Phougat

...Petitioner

Vs

State of Haryana and others

...Respondents

Present: Mr. S.P. Chahar, Advocate
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Sumit Sangwan, Advocate
for respondent No.4.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

C.M. No.6135 of 2019

Application is allowed.

Written statement filed on behalf of respondent No.4 along
with annexures is taken on record.

CWP No.6673 of 2019

Reply to the application for vacation of stay by way of affidavit
filed on behalf of petitioner is taken on record.

The challenge in the writ petition is qua transfer of the
petitioner primarily on the ground that the petitioner could not have been
transferred and the post held by him could not be replaced by respondent
No.4, as she is not having qualification of Masters of Veterinary Science in
Pathology. Petitioner was working as Specialist Veterinary Surgeon in
District Disease Diagnostic Lab but vide order dated 25.02.2019, has been
transferred to Government Veterinary Hospital, Sanghi, Rohtak.

Mr. Chahar, learned counsel appearing on behalf of the petitioner submits that respondent No.4 posted at place of petitioner was undergoing degree of Masters of Veterinary Science, which she has secured now.

The said fact has not been denied by Mr. Sumit Sangwan, who is appearing for respondent No.4.

Learned State counsel submits that place of transfer is 15 kms away from present hospital.

In view of such circumstances, grievance of the petitioner at this point of time cannot subsist on the premise that respondent No.4 has already acquired the requisite qualification. It is also matter of record that post was for Master of Veterinary Science in Pathology, which petitioner did not have.

No ground for interference is made out.

Dismissed.

(AMIT RAWAL)
JUDGE

September 30, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No