

(2021) 08 SHI CK 0039

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 4319 Of 2021

Mohan Lal & Ors

APPELLANT

Vs

State Of H. P. & Ors

RESPONDENT

Date of Decision : 04-08-2021

Acts Referred:

Para Veterinary Council Act, 2010 — Section 38(2)

Citation : (2021) 08 SHI CK 0039

Hon'ble Judges : Tarlok Singh Chauhan, J; Satyen Vaidya, J

Bench : Division Bench

Advocate : Maan Singh, Ashok Sharma, Vinod Thakur, Hemanshu Misra, Shiv Pal Manhans, Bhupinder Thakur

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant petition has been filed for the grant of following substantive reliefs:-

i) That the order dated 17.12.2016, annexure P-9, passed by the respondent No. 1 may very kindly be quashed and set aside to the extent, one time

relaxation has been denied to the petitioners for getting themselves registered with the Para Veterinary Council and from seeking employment as

Veterinary Pharmacist in Animal Husbandry Department.

ii) That the respondents No. 1 and 2 may very kindly be directed to register the names of petitioners as Para Veterinary Practitioners under sub-

Section 2 of Section 38 of Para Veterinary Council Act, 2010 and issue necessary certificates of registration on the analogy of case of petitioners in

CWP No. 2695 of 2018/2843 of 2020, titled Manoj Kumar and others vs. State of Himachal Pradesh and others.

2. The issue in question is squarely covered by a judgment rendered by Principal Division Bench in CWP No. 2695 of 2018, titled Manoj Kumar &

others vs. State of Himachal Pradesh & others, decided on 19.11.2019.

3. Accordingly, for the reasons recorded in the said petition, which shall apply mutatis mutandis to the instant writ petition, this writ petition is allowed.

Consequently, impugned order dated 17.12.2016 (Annexure P-9), passed by respondent No. 1 is quashed and set aside. Respondent No. 1/State is

directed to consider the case of the petitioners and pass orders afresh for the purpose of registering them with Himachal Pradesh Para Veterinary

Council and for their employment as Veterinary Pharmacist in Animal Husbandry Department, in light of the observations already made in the

judgment rendered in Manoj Kumar's case (supra) and in light of the judgment rendered by this Court in CWP No. 8627 of 2010, titled Manav

Bharti University vs. State of H.P. & others, decided on 13.04.2011, within a period of four weeks from today.

The petition stands disposed of, so also pending application(s), if any.