

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Department of Punjab & Haryana
of 1950 L.R. Act.

Civil Writ Petition No. 18857 of 2010

1. Jagdev Singh son of Gurcharan Singh, resident of Village Phoolu, Tehsil Malout, District Muktsar, Punjab.
2. Jagtar Singh s/o Sh. Gurmail Singh resident of Patti Ghangrian, Tehsil Dhanula, District Branala, Punjab.
3. Sh. Harpreet s/o Sh. Angrej Singh, resident of Village Khera, Tehsil Malatat, Punjab.

.....Petitioner(s)

Versus

1. The State of Punjab through Secretary to Govt. of Punjab, Department of Animal Husbandry, Fisheries and Dairy Development, Punjab Civil Secretariat, Chandigarh.
2. Director, Animal Husbandry Department, Punjab, Chandigarh.
3. Para Medical Council (Punjab) Mohali, Opposite E.S.I. Hospital, S.C.O. No. 37, Phase-7, Mohali through its General Secretary.
4. Subordinate Services Selection Board, Punjab, SCO No. 156-160, Sector 8-C, Chandigarh, through its Secretary.

....Respondent(s)

Petition under Article 226/227 of the Constitution of India praying for issuance an appropriate writ, order or direction quashing the advertisement (Annexure P-6) dated 05.09.2010 vide which all candidates who have done the two years Veterinary Pharmacist course from private institutes have been debarred from participation and consideration on the ground that the institutions are not recognized without laying down any procedure for recognition and without setting up any authority to confer recognition and the petitioners do not have any means to identify such institutes who are not recognized though they operate openly without any

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let and hindrance from the state and impart education and the petitioners have acquired the necessary skills which need to be tested rather than declaring the petitioners ineligible only on the ground that they have done the course from non recognized institute without setting up machinery to regulate such institutes in the interest of general public. It is therefore prayed that all candidates who are passed the two years veterinary pharmacist course are eligible as the petitioners have received quality training and have passed stringent examination and are better than those who have passed the course from the department which is based only on patronage and recommendations. In law it is required that either the students are tested or the institutes be tested so that skills of the candidates can be ascertained so long such institutes are operating.

Respectfully Showeth:-

1. That the petitioners have done 10+2s two and thereafter did 2 years diploma course in Veterinary Pharmacy from respondent no. 3 and its campus at Kapurthala. The petitioners are citizens of India and therefore entitled to invoke the extra ordinary jurisdiction of this Hon'ble court. The photocopies of certificates of the petitioners are collectively placed on record as Annexure P-1 which shows that they have done a two years course in Veterinary Pharmacy.
2. Respondent no.3 is a society registered under the Societies Registration Act. It runs an institute with its campus at Kapurthala with nearly one acre of land with 12,000 Sq. Ft. of constructed area comprising of 20 rooms total 140 marla (38000 sq. ft.) i.e. 7 Kanal.
 - That the petitioners have paid the fees to respondent no.3 and the institutes of Rs. 500/- per month for teaching and an admission fee of Rs. 10,000 to 12,000/-. And other dues which is separate for the

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rem

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

Mr. B.S.Chahal, DAG, Punjab.

Admit.

To be heard with CWP No. 1640 of 2008.

29.08.2011
'ravinder'

sd/r

(SURYA KANT)
JUDGE

PUNJAB & HARYANA HIGH COURT

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Certified to be true Copy

29.8.11
Examiner Judicial Department
High Court of Punjab & Haryana
Ludhiana

