

**IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA  
ON THE 31<sup>st</sup> DAY OF MARCH, 2022**

**BEFORE**

**HON'BLE MS. JUSTICE SABINA**

**&**

**HON'BLE MR. JUSTICE SATYEN VAIDYA**

**LETTERS PATENT APPEAL No. 31 OF 2022.**

**Between:-**

- 1. STATE OF HIMACHAL PRADESH THROUGH ITS  
ADDITIONAL CHIEF SECRETARY (ANIMAL  
HUSBANDRY) SHIMLA-2.**
- 2. DIRECTOR OF ANIMAL HUSBANDRY SHIMLA-  
5.**
- 3. ICAR-INDIAN VETERINARY RESEARCH  
INSTITUTE (DEEMED UNIVERSITY) BAREILLY,  
IZAT NAGAR-243122 UP INDIA THROUGH ITS  
REGISTRAR.**

**....APPELLANT.**

**(BY MR. KAMAL KANT CHANDEL,  
DEPUTY ADOVCATE GENERAL)**

**AND**

**NANCY SINGH D/O SH. RAJENDER SINGH  
R/O VPO KUMMI TEHSIL -BALH, DISTRICT  
MANDI AGE 27 YEARS PRESENTLY WORKING  
AS VETERINARY OFFICER POSTED AT  
VETERINARY HOSPITAL JACHH, TEHSIL  
CHACHYOT, DISTRICT MANDI, H.P.**

**....RESPONDENT.**

**(NEMO)**

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*This Letters Patent Appeal coming on for admission before notice this day, **Hon'ble Ms. Justice Sabina**, delivered the following:-*

**J U D G M E N T**

The appellant has filed the instant Letters Patent Appeal challenging the order dated 15<sup>th</sup> February, 2022, passed by the learned Single Judge, whereby, the interim application moved by the respondent for interim relief was allowed.

2. We have heard the learned counsel for the parties and have also gone through the record available on the file carefully.

3. The respondent is working as a Veterinary Officer with the appellant/State in Animal Husbandry Department on contract basis. The respondent was pursuing her studies with regard to Master Degree in Veterinary Sciences from Indian Veterinary Research Institute (Deemed University) Izatnagar, U.P., since 10.03.2018. The respondent had requested the

**...3...**

appellant to grant extension for six months to enable her to complete the course. Her request was accepted by the appellant department and her joining time was extended upto 4<sup>th</sup> May, 2020. However, due to Covid-19 pandemic, the respondent could not pursue her Master Degree as the institute from where the respondent was pursuing her Master Degree was suspended on 14<sup>th</sup> March, 2020. It is further the case of the petitioner that the institute had resumed the course and the respondent had been directed to join the institute between 16<sup>th</sup> -18<sup>th</sup> February, 2022 with a rider that, thereafter, she would not be allowed to report back, vide communication dated 8<sup>th</sup> February, 2022.

4. The learned Single Judge vide impugned order has permitted the respondent to join the institute in furtherance of notice, dated 8<sup>th</sup> February, 2022, with a direction to the appellant/department to relieve her for the said purpose and it has been further ordered that the said direction would be subject to the final out come of the writ petition.

**...4...**

5. In the facts and circumstances of the present case, we are of the opinion that the learned Single Judge has rightly exercised the jurisdiction vested in it and the same does not call for any interference. The respondent could not pursue her course as the institute was suspended due to Covid-19 pandemic. However, now the institute has resumed and the respondent has been asked to complete her course by the institute.

6. For the foregoing reasons, we find no merit in this appeal and it is dismissed. All pending applications, if any, shall also stand disposed of.

**(Sabina)  
Judge**

**(Satyen Vaidya)  
Judge**

**31<sup>st</sup> March, 2022.  
(jai)**