

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Misc. Application Nos.4579-81 of 2017 in/and
Civil Writ Petition No.7205 of 2001
Date of Decision: 24.04.2017**

Agriculture Technocracts Action Committee, Punjab and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sube Sharma, Advocate for the petitioners.

Mz. Sudeepti Sharma, Deputy Advocate General, Punjab.

Mr. Krishan Singh Dadwal, Advocate for the applicant
(in CM Nos.4579-4581 of 2017).

JASWANT SINGH, J. (Oral)

Petitioner No.1 is an Association of the officials in the Agriculture Department, Punjab, belonging to the Administrative Cadre whereas petitioner Nos.2 to 7 are working as District Training Officers or Joint Directors Agriculture, who also belonging to the Administrative Cadre.

The grievance set out in the present petition was that the officials belonging to the Agriculture Department, who belong to the Engineering, Statistical and Geological Cadres in the Agriculture Department were being illegally promoted to the post of Joint Directors of Agriculture, Cane Commissioners and Director of Agriculture in violation of the provisions of the statutory Rules, namely, the Punjab Agricultural

It was contended that from the perusal of Appendix A to 1974 Rules, the post of Joint Director and Director Agriculture existed only in the Administrative Cadre and, therefore, the officials from the Administrative Cadre could only be promoted to the said two posts.

After notice, during the course of proceedings, an interim order dated 02.05.2002 was passed, which reads as under:-

“ Arguments have been partly heard. The learned Additional Advocate General, Punjab appearing on behalf of the State was directed yesterday to produce the record showing as to how the posts against which the private respondents were appointed/promoted as Joint Directors were created. He requests for a short adjournment to enable the department to locate the old files. The State should also produce the files pertaining to the creation of the posts of Joint Directors in the Administrative wing after the promulgation of the 1974 Rules.

Adjourned to 13.5.2002.

Case will be taken up at 1.45 P.M.

Meanwhile, the post of the Director Agriculture will not be filled up on regular basis. It will, however, be open to the department to make a working arrangement till such time the regular appointment is made. ”

(emphasis supplied)

This petition, vide order dated 11.05.2004, was *Admitted* and ordered to be heard within six months.

Now the aforementioned applications have been instituted by Sh. Sutantar Kumar Airi for placing on record the Punjab Agriculture (Group-A) Service Rules, 2013 as **Annexure R-10/1**; for his impleadment as party respondent No.10, and also for disposing of the present petition itself as infructuous in the light of the promulgation of new Rules, namely, The Punjab Agriculture (Group-A) Service Rules, 2013, whereby while repealing the 1974 Rules, the ambiguity, if any, existing has been

specifically removed.

Upon notice of the applications to learned Counsel for the non-applicants/petitioners and respondents, it is agreed that in view of the changed circumstances, the present writ petition itself has become infructuous.

In view of the aforesaid agreed stand, the application bearing **CM No.4579 of 2017** for placing on record the Punjab Agriculture (Group-A) Service Rules, 2013 as **Annexure R-10/1** is allowed. **CM No.4580 of 2017** of Mr. Sutantar Kumar Airi for his impleadment as respondent No.10 is also allowed. Amended memo of parties is taken on record. **CM No.4581 of 2017** for disposing of the main petition is also allowed and it is ordered that the present writ petition is infructuous.

April 24, 2017
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(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>