

Sr. No.115

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

CWP No.24328 of 2019 (O&M)

Date of Decision: 05.09.2019

Manohar Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. R.K.Chopra, Senior Advocate with
Ms. Kusum Chopra, Advocate,
for the petitioners.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Inter alia, contends that petitioners are aggrieved qua their non-consideration for promotion to the post of 'Agriculture Extension Officers' with effect from 04.03.2014 i.e. date on which their juniors who were also serving as 'Agriculture Sub Inspectors' were promoted to the said posts.

2. Learned Senior counsel appearing for the petitioners submits that vide seniority list dated 21.08.2009, the Director Agriculture, Government of Punjab had rightly determined the seniority of the petitioners in terms of length of service rendered by them. He further submits that as per the applicable Rules, order dated 31.03.2014 (Annexure P-2) was passed stating that out of 1167 posts of 'Agriculture Development Officers', a separate cadre of 233 posts of 'Agriculture Extension Officers' has been

created. He further contends that said 233 posts of 'Agriculture Development Officers' were converted into the posts of 'Agriculture Extension Officers' and consequent thereto, the said posts were allotted to different Districts in the State.

3. Learned counsel further points out that vide order dated 04.03.2014 (Annexure P-3), 100 'Agriculture Sub Inspectors' were promoted as 'Agriculture Extension Officers' and rest 33 posts are lying vacant till date. On the other hand, the petitioners have not been considered for the said promotions despite being fully eligible.

4. In the premise, petitioners also caused issuance of a legal notice dated 09.01.2019 (Annexure P-4), but the same was not adverted by the respondents till date. Hence, the writ petition.

5. Notice of motion.

6. On advance service of the petition, Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

7. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the legal notice dated 09.01.2019 (Annexure P-4) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

9. Let the needful be done within a period of 3 months

from the date of receipt of a certified copy of this order.

10. Disposed of in above terms.

05.09.2019
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No