

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

**CWP No.6984 of 2000 (O&M)**

**Date of decision: 23.05.2022**

Hansraj Shinver Agricultural Development Officer      ...Petitioner  
Vs.

State of Haryana and another      ...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:** None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

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**ARUN MONGA, J. (ORAL)**

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari for quashing the impugned order dated 01.03.1999 (Annexure P-5) passed by respondent No.2 whereby the general administrative cadre of Agriculture Development Officers was bifurcated. It is alleged that same adversely affected the service conditions including the seniority of the petitioner.

2. Petition was admitted for hearing on 08.04.2002.

3. When taken up for adjudication, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, having perused the record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to paras Nos. 1 and 2 of the preliminary objections of the reply filed by respondents No.1 & 2.

5. I am in agreement with the stand taken by the respondents as aforesaid. Neither any replication has been filed to the afore-noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

6. The applicable Rules (Haryana Subordinate Agricultural (Group-C) Service Rules, 1993 mandated that the administrative cadre be bifurcated into two separate ones i.e. (i) Soil Conservation/ Soil Survey/ Soil Testing and (ii) an Administrative Cadre. All the Agriculture Development Officers serving across board were given the option at the relevant time to make their choice as to which cadre they would like to be inducted into. It is only after the receipt of options, a duly constituted committee comprising of four senior officers of the Department which included three Technical experts and one from the administrative side, who duly examined the options given by the various Agriculture Development Officers. One of the parameters adopted to determine the eligibility to finalize the cadre-wise allocation was that weightage ought to be given to the experience of the candidates in their respective fields i.e. Soil Conservation side/ administrative side and for the purpose, their qualifications were also given the deserved preference. To be noted, in cases where training and other things being equal, preference was given on the basis of expertise as per qualification i.e. B.Sc./ M.Sc. agriculture with soil science as major subject.

7. In the premise, after adopting a proper criteria, the persons who had minimum 7 years of experience in the line of conservation were allocated the cadre of Soil Conservation. However, all the candidates from the reserved categories i.e. Scheduled Caste and Ex-Serviceman who had given their options to be placed in Soil Conservation cadre were

regardless given the cadre as per their choice whether or not they had the requisite experience. Pursuant thereto, a tentative seniority-list of both the cadres were circulated and objections were also invited. The officers who had any grievance *qua* the tentative seniority-list were given due opportunity of personal hearing. It was only after conducting the entire exercise in transparent manner and by following due procedure and upon examination of the entire record including objections raised by the aggrieved, the Committee gave its recommendations for finalizing the seniority-list *qua* both the cadres. In this background, it is too belated for the petitioner to now turn around and impugn the seniority-list, particularly when he had neither given his option before the cut-off date nor even raised any objection to the tentative seniority-list when it was circulated to all the concerned, and therefore, there is no ground to interfere to disturb what has been long settled.

8. In view of the aforesaid, no grounds are made out to interfere.

9. Dismissed.

**23.05.2022**  
hemlata/mahavir

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No