



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

(Sr. No. 106)

LPA No.617 of 2024

Date of decision: 02.07.2024

Sanjay Kumar

..... Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Sarvjit Singh Khurana, Advocate for the appellant.

* * *

DEEPAK SIBAL, J. (Oral)

(1) The present intra court appeal arises out of the judgment dated 13.12.2023 passed by a learned Single Judge of this Court through which the appellant's writ petition has been dismissed.

(2) A few basic facts may be noticed.

(3) On 23.11.2012 the appellant joined as a Lecturer. In the same year of the appellant's joining the State of Haryana created two separate cadres for Lecturers namely, the Mewat and the rest of Haryana cadre. The appellant was not serving in Mewat. A tentative seniority list of the Mewat cadre was circulated by the State on 05.04.2017. Thereafter, options were invited from all Lecturers to opt either for the Mewat or the rest of Haryana cadre. Objections to the aforesaid tentative seniority list were also sought.



These objections and options were invited on 12.12.2017 and 20.12.2017. Admittedly, in the year 2017 the appellant neither filed any objections to the tentative seniority list of the Mewat cadre nor opted to be a member of the Mewat cadre.

(4) Thereafter, on 05.04.2022 and 21.04.2022 the State, through the online mode, again sought from all Lecturers of the State of Haryana, objections to the aforesaid tentative seniority list and options if they would want to remain in the rest of Haryana or become members of the proposed Mewat cadre. It is not disputed that this opportunity was also not availed of by the appellant. Thereafter, on 01.06.2022, the State finalized the seniority list of Lecturers of the Mewat cadre.

(5) In October, 2023, the appellant petitioned this Court through which he sought change of his cadre from rest of Haryana to Mewat. He based his case on a representation made by him in the year 2020 seeking therein to become a member of the Mewat cadre. Through the impugned judgment the learned Single Judge refused to grant relief to the appellant.

(6) Learned counsel for the appellant has been heard.

(7) It is only in December, 2017 and April, 2022 did the State specifically invite options from all concerned as to whether they would want to remain in the rest of Haryana or become a member of the newly proposed Mewat cadre. Neither in the year 2017 nor in 2022 did the appellant file his option to become a member of the proposed Mewat cadre. The final seniority list of the Mewat cadre has also been circulated by the State on 01.06.2022. The same remains unchallenged at the appellant's behest. Further, at this stage, to accept the prayer of the appellant, especially in the



absence of necessary parties, would virtually amount to unsettling the entire process of separation of cadres and finalization of seniority in these cadres, which exercise has taken the State about five years.

(8) In the afore facts, we are not inclined to interfere with the impugned judgment.

(9) Dismissed.

(DEEPAK SIBAL)
JUDGE

02.07.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No