

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

Date of decision:17/10/2016

Ranjit Singh

.....Petitioner

VS

The Punjab State Power Corporation Limited and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr. JS Jaidka, Advocate for the petitioner.

Jaswant Singh,J(Oral)

Petitioner, a Junior Engineer with The Punjab State Power Corporation Limited is seeking a writ in the nature of certiorari for quashing of punishment order dated 17.11.2015 (P-1) whereby punishment of stoppage of 3 annual increments with cumulative effect was imposed upon him after holding a regular departmental enquiry against him. Further, he is seeking quashing of the appellate order dated 5.8.2016(P-2) whereby his appeal against the said punishment order (P-1) was partly allowed and punishment was reduced from stoppage of 3 to 2 annual increments with cumulative effect.

In brief, the charges that stood proved against the petitioner in a regular departmental enquiry are that (i) he changed an electricity meter in an area which was under some other Junior Engineer (ii) petitioner got charge of the burnt up meter mentioned as sundry charge from the Ledger Clerk and (iii) petitioner prepared the Load Checking Register (LCR) of the burnt up meter and replaced the meter.

At the time of hearing, learned counsel for the petitioner states

that the punishment awarded to the petitioner is liable to be set aside as

though he actually changed the meter in an area which was not in his jurisdiction but the same was done at the verbal orders conveyed over mobile phone by Mr.VK Garg, SDO, who happened to be his superior and thus for obeying the verbal orders of his superior he has wrongly been awarded the punishment as noticed above.

After hearing the learned counsel I find no merit in this petition and the same is liable to be dismissed.

At the time of hearing, learned counsel for the petitioner has not been able to deny the fact that during the departmental enquiry said Mr.VK Garg, SDO was not cross examined by the petitioner regarding verbal orders conveyed to petitioner on mobile phone to replace the meter which was not within the jurisdiction of the petitioner. It has further not been denied that during enquiry petitioner did not lead any documentary evidence to show call details which could lend credence to his stand that he had received verbal orders to change the meter in question. Petitioner having failed to avail the opportunity to defend himself and lead documentary evidence in his defence, now cannot turn back and find fault with the punishment awarded to him, which as noticed above has been awarded after following due procedure.

Dismissed.

17/10/2016
joshi

(Jaswant Singh)
Judge

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