

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 14575 of 2017

Date of Decision: 06.09.2017

Hukam Singh

.....Petitioner

Vs.

Dakshin Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Advocate,
for the respondents.

AMOL RATTAN SINGH, J. (ORAL)

Mr. Hitesh Pandit, Advocate, has filed his power of attorney on behalf of the respondents which is taken on record.

Learned counsel for the respondents, on instructions, does not deny that no show cause notice was issued to the petitioner before the impugned punishment order was passed. He still, however, opposes the claim of the petitioner.

There being a statutory provision, i.e. Regulation 7 (a) of the Dakshin Haryana Bijli Vitran Nigam Limited Employees (Punishment and Appeals) Regulation, 2006, that even a minor penalty shall not be imposed on an employee unless he has been given a show cause notice thereof and a reasonable opportunity of making a representation there-against, this petition is allowed to the extent that the impugned orders, Annexures P-5 and P-7, are quashed, with liberty to the competent authority amongst the respondents to pass a fresh order after issuing a

show cause notice as regards the proposed punishment (if it is so proposed), in terms of the aforesaid Regulation.

The issue of limitation (if any) shall not come in the way of the authority concerned, while issuing such show cause notice.

September 06, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.