

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

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**CWP No. 24572 of 2014
Date of decision: 23.10.2017**

Naresh Kumar

...petitioner

Versus

UHBVN Ltd. and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. R.S. Sangwan, Advocate for the petitioner.

Mr. Namit Kumar, Advocate for the respondents.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, the petitioner seeks quashing of the impugned order Annexure P-10, dated 03.06.2014, by which a punishment of stoppage of two annual increments without future effect has been imposed upon him.

The background of the matter is that one Sh. Dharmbir, Linesman, is stated to have received an electric shock and unfortunately died on 05.04.2006, with the petitioner eventually having been held responsible for not having got installed the wires of another feeder, with due precaution, i.e. with not enough gap between the wiring of the two feeders.

Otherwise there would be no reason for this Court to interfere with the finding of an investigation report, but for the fact that the impugned order, Annexure P-10, is wholly cryptic, not giving any detailed reasons holding the petitioner responsible for the accident, even though the subsequent order passed in appeal (Annexure P-13) does give reasoning.

However, Mr. Sanghwan, learned counsel for the petitioner, has

referred to the report of the Sub Divisional Officer dated 18.03.2014 and that of the Superintending Engineer dated 30.09.2014 (Annexure P-12), to submit that clearance/guarding of the lines may have been reduced subsequently (that is after the line was installed during the petitioner's tenure), which has not been taken into consideration even in the order in appeal.

Consequently, the impugned orders Annexures P-10 and P-13 are set aside, with liberty to the respondents to pass fresh orders after going into the matter and hearing the petitioner, and giving detailed reasons in such speaking order, which would be passed within a period of three months from the date of receipt of a certified copy of this order.

October 23, 2017
Poonam (II)

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No