

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

CWP No. 1446 of 2012.

Date of Decision: 30.10.2018.

Ravinder Kumar Saini

... Petitioner

Versus

The Punjab State Power Corporation and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Rajiv Sharma, Advocate,
for the petitioner.

Mr. Bhupesh Dogra, Advocate for
Mr. Amit Aggarwal, Advocate,
for the respondents.

JITENDRA CHAUHAN.J.

Through the instant civil writ petition the petitioner seeks quashing of order dated 30.08.2011 (Annexure P-15) passed by respondent No.3 vide which two annual increments of the petitioner with cumulative effect have been stopped.

The petitioner was posted as Sub Divisional Officer in Sub Division, Bhogpur-I, District Hoshiarpur. A complaint was addressed by one Avtar Singh Dalla to the Chairman against the petitioner for shifting the pole in feeder line 11 KV Pachranga by accepting a bribe of Rs.50,000/- from the owner of the plot. It was alleged in the complaint that on the asking of the petitioner, the pole in question was shifted without survey and depositing the money. The

petitioner was held responsible for causing loss of Rs.17,102/- to the department. The petitioner was charge-sheeted and an inquiry was held.

Learned counsel for the petitioner contends that in fact, Gurpal Singh J.E., Feeder In-charge at the relevant time, was solely responsible for the shifting of line and he did not inform his superiors in this context. However, the proceedings against said Gurpal Singh were dropped for the reasons best known to the respondent-department and petitioner was made a scapegoat. He further contends that the petitioner has been made scapegoat to save said Gurpal Singh and charge-sheet against him has been wrongly drawn.

On the other hand, the learned counsel appearing on behalf of the respondents submits that there is no illegality in the impugned order dated 30.08.2011 (Annexure P-15) as the same was passed after affording full opportunity of hearing to the petitioner and following the proper procedure prescribed by law.

Heard.

During the inquiry, it was stated by Er. Gurpal Singh J.E that the petitioner on his own had got shifted the line with the help of Sh. Pavitar Singh, Sh. Kashmir Singh, Dalip Singh and Fateh Singh, Linemen in his presence and Er. Gurpal Singh J.E. was out of station when the shifting was done. The same has been substantiated by Kashmir Singh Lineman and Pavitar Singh Lineman. It has also come on record that many complaints were pending against the petitioner.

CWP No. 1446 of 2012.

(3)

Vide impugned office order dated 30.08.2011 (Annexure P-15) the punishment of stoppage of two annual increments with future effect was rightly inflicted upon the petitioner and cannot be said to be disproportionate to the charges proved against him. The petitioner was given sufficient opportunity of hearing. The charges stood proved against him. This Court does not find any reason to interfere in the well speaking orders passed by the respondents.

Dismissed.

30.10.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No