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

**(I) CWP-1063-2015
Date of decision-08.03.2018**

Amit Kumar

...Petitioner

Vs.

**Punjab State Power Corporation Ltd.
and others**

...Respondents

**(II) CWP-1679-2015
Date of decision-08.03.2018**

Hari Krishan Saini

...Petitioner

Vs.

**Punjab State Power Corporation Ltd.
and others**

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. A.K. Walia, Advocate for the petitioner(s).

Ms. Ritam Aggarwal, Advocate for the respondents.

JITENDRA CHAUHAN, J.

The above-captioned writ petitions filed under Articles 226/227 of the Constitution of India, are being disposed of by this single judgment of mine as the same controversy is involved therein. However, for brevity, the facts are being derived from CWP-1063-2015.

The grouse of the petitioner is that vide impugned orders dated 28.05.2013 (Annexure P-3) and 13.10.2014 (Annexure P-4), the benefit of

time-bound higher pay scales granted to the petitioner in the year 2003 and 2010 was ordered to be withdrawn, without issuing any show-cause notice or any opportunity of hearing to the petitioner only on account of the fact that the petitioner had foregone his promotion in the year 2013. Furthermore, on the strength of orders, Annexures P-3 and P-4, the salary of the petitioner has been reduced and a recovery of ₹ 1,54,730/- has been ordered against him vide impugned statement Annexure P-8.

On the other hand, learned counsel for the respondents states that vide office order No.219 dated 28.5.2013 (Annexure P-3), issued by the Deputy Chief Engineer, Personnel Department, PSPCL, Patiala, while accepting the prayer of the petitioner for foregoing promotion, he was specifically informed that his promotional scales on completion of 9/16 years of service, would have to be withdrawn.

Heard.

There is no reference in the reply filed on behalf of the respondents that before passing of the impugned orders, any show-cause notice or any opportunity of hearing was afforded to the petitioner. Even, learned counsel for the respondent-Corporation had sought telephonic instructions in this regard and she states that no show-cause notice, in fact, was ever served upon the petitioner.

In the circumstances, impugned orders Annexures P-3, P-4 and P-8 in CWP-1063-2015 and Annexures P-4, P-5, P-9 and P-10 in CWP-1679-2015, are hereby set aside. However, the respondents shall be at

liberty to pass appropriate orders after issuing proper show-cause notice(s)
to the petitioners, as per law.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

08.03.2018
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No