

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

CWP-14933-2015 (O&M)

Date of Decision: 25.09.2018.

Parvesh Chander Chadha

... Petitioner

Versus

The Punjab State Power Corporation Limited and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. J.S. Jaidka, Advocate,
for the petitioner.

Mr. Mukul Aggarwal, Advocate,
for the respondents.

JITENDRA CHAUHAN.J.

The claim raised in the present writ petition is for regularization of period of suspension from 01.10.2009 to 21.06.2010.

It is contended that the petitioner was placed under suspension from 06.05.2009 to 30.09.2009, though reinstated on 30.07.2009 but was not allowed to join his duties till 21.06.2010 and ultimately he joined his duty on 22.06.2010. It has been further contended that the period from 01.10.2009 to 21.06.2010 was a period of forced idleness at the instance of the respondents, therefore, the same deserved to be regularized.

On the other hand, the learned counsel for the respondents state that the aforesaid period was not forced idleness rather it was a chosen absence from duty which is sought to be

converted into forced absence through the present writ petition.

Learned counsel refers to Annexures R-1 and R-2 to contend that the petitioner was not willing to join his duty at the transferred place i.e. Bhagta Bhai Ka.

Heard.

The short question to be decided in the instant civil writ petition is whether the period from 01.10.2009 to 21.06.2010 was a forced idleness or was it a chosen absence. A perusal of Annexures R-1 (colly) and R-2 (colly) goes to show that the petitioner did not join his duty on one ground or the other. The failing health of the parents was cited to be the reason for not being able to join his duties at the transferred station. These applications moved by the petitioner were not supported by any medical evidence nor the composition of the family was indicated to make out a case that it was the petitioner alone who was to look after the parents. In such a situation, the absence was deliberate to avoid going to the transferred station. Consequently, the present civil writ petition is dismissed.

25.09.2018.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No