

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

CWP No.6840 of 2018 (O&M)

Date of decision: 23.04.2018

Rajeev Kumar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd., and others

...Respondent(s)

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Sandeep Arora, Advocate for the petitioner(s).

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**Jitendra Chauhan, J. (Oral)**

The petitioner seeks issuance of a writ in the nature of certiorari for quashing the impugned order dated 14.12.2016 (Annexure P-5) vide which the order passed by respondent No.3 dated 26.10.2015 (Annexure P-4), whereby 'letter of censure' had been issued to the petitioner, was upheld.

It is asserted that the impugned order dated 26.10.2015 (Annexure P-4) by virtue of which the petitioner has been issued letter of censure, is illegal and arbitrary in nature. There is no evidence on record with regard to the fact that the petitioner misbehaved with the wife of Darshan Singh, the enquiry officer in the matter of the petitioner. Said Darshan Singh has also stated in his statement recorded during the enquiry that he was not a party to the conversation between his wife and the petitioner. Therefore, learned counsel submits that the enquiry proceedings had been finalized without recording the statement of wife of

Darshan Singh.

Heard.

The petitioner, a Junior Engineer with the respondents, is claiming the benefits i.e. for the period while he was under suspension. The petitioner was suspended during the departmental enquiry initiated by the Department on account of mistakes/negligence while performing his duties. As per allegation, the petitioner allegedly extended threats to the wife of the enquiry officer Darshan Singh, calling her on phone. The preliminary enquiry in this regard was conducted by the competent authority and finding prima facie substance against the petitioner, the enquiry officer came to the conclusion that the petitioner allegedly obstructed the enquiry officer in discharge of his official duties and thus, was liable for major punishment. Moreover, the petitioner has been reinstated into service. Considering the allegations against the petitioner, the petitioner does not deserve any relief for the suspension period as prayed for, at this stage. There is no merit in the instant petition, the same is hereby dismissed.

23.04.2018

*sumit.k*

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned :  
Whether Reportable :

|     |    |
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| Yes | No |
| Yes | No |