

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

CWP No.27291 of 2018

Date of decision:-15.01.2019

Hardavinder Singh

.....Petitioner

versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Arunjeet Singh Kakkar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner who was serving on the post of Sub Station Attendant, has filed the instant petition assailing the order dated 10.07.2018 (Annexure P-3) and whereby he has been placed under suspension.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that no intervention in the matter is called for at this stage.

Such view is being taken for the reason that after the order of suspension, petitioner has been proceeded against departmentally and a chargesheet bearing No.7484 dated 18.05.2018 (Annexure P-4) was served upon him. The precise article of charges drawn against the petitioner are to the following effect:-

List of charges against Sh.Hardavinder Singh, S.S.A. (I.D No.279889) son of Sh. Mahinder Singh under Power Distribution Circle, Ganadthap, Bathinda.

1. *Sh. Hardavinder Singh son of Mahinder Singh had committed below mentioned irresponsibility/errors/irregularities while working as a SSA Power Distribution Cell under Power Distribution Circle, Ganadthap, Bathinda.*
2. *You (Sh. Hardavinder Singh SSA) got approved sudden leave from dated 29.10.2017 to 05.11.2017 visited to Kathmandu (Nepal) but after completion of leave you are still absent from your duty without any information. You (Sh. Hardavinder Singh) still not joined your duty neither any application given for extending the leave.*
3. *You (Sh. Hardavinder Singh SSA) got approved sudden leave from dated 29.10.2017 to 05.11.2017 visited to Kathmandu (Nepal) but after completion of leave you are still absent from your duty without any information. You (Sh. Hardavinder Singh SSA) has been called for giving clarification regarding being absent from duty by the Additional Er. (EM-1) vide its letter No. EM-1/788 dated 13.11.2017, EM-1/812 dated 22.11.2017, EM-1/843 dated 29.11.2017, EM-1/871 dated 12.12.2017, EM-1/13 dated 02.01.2018 and Deputy Chief Engineer/Power Distribution Circle, Gunadethap, Bathinda, vide letter No.E-17/2163 dated 11.12.2017 and E-17/90 dated 15.01.2018.*

4. According to Regulation 4 (i) (ii) of Employee Behaviour Regulation, 1971 of Punjab State Power Corporation Limited the employee shall be committed to his duty. But you (Sh. Hardavinder Singh SSA) had not have any interest towards your duty. But not clarification has been given by the employee regarding this.

For the above mentioned irresponsibility/errors/irregularities the Regulation-8 read with Rule-5 Sr. No.(V & VI) of (Punishment and Appeal) Regulation, 1971 Punjab State Electricity Board now Punjab State Power Corporation Limited and it recommend the disciplinary proceedings.

*Sd/-
14.05.2018
Chief Engineer/Thermal
Gunadethap Bathinda”*

Counsel submits that a reply to the chargesheet has since been filed but till date no decision has been conveyed as to whether the reply has been found to be satisfactory or further proceedings in the enquiry by appointment of an Enquiry Officer have taken place.

Suffice it to observe that the order of suspension as also the period that the petitioner has remained under suspension would be subject to the final view that may be taken by the competent authority in pursuance to the departmental proceedings that already stand initiated vide charge-sheet dated 18.05.2018 (Annexure P-4).

In view of the above and while dismissing the instant writ petition, directions are issued to the Punjab State Power

Corporation/competent authority to proceed further in the matter and to conclude the departmental proceedings already initiated against the petitioner expeditiously and in any case within a period of four months from the date of receipt of certified copy of this order.

Writ petition stands dismissed.

It is however made clear that this Court has not examined the case of the petitioner/charges levelled against him on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

15.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No