

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

222

CWP-9028-2020 (O&M)
Date of decision: 13.08.2020

TAJINDER SINGH

...Petitioner

Versus

POWER GRID CORPORATION OF INDIA LIMITED AND ORS
...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Ms. Priyanka Sud, Advocate for the petitioner.
Mr. DS Patwalia, Senior Advocate with
Mr. IS Sidhu, Advocate for the respondents.

REKHA MITTAL, J. (Oral)

CM No.6912-CWP of 2020

Heard.

Allowed as prayed for, subject to just exceptions.

CWP No.9028 of 2020

Tajinder Singh, working as Junior Engineer with Power Grid Corporation of India Ltd. (in short 'the Corporation') has invoked jurisdiction of this Court under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of certiorari for quashing/setting aside orders dated 20.05.2020 (Annexure P1) whereby the petitioner has been transferred from Kurukshetra to Baramullah, Kashmir and dated 16.06.2020 (Annexure P2) i.e. relieving order.

The petitioner has sought to impugn the aforesaid orders primarily on the ground that since he gave information regarding misuse of vehicles to Station Head Sh. PR Pati through e-mail dated 02.05.2020 (Annexure P5), he has been transferred with a mala fide intention to keep him away from vigilance proceedings, the complaint filed by him in this regard. It is also one of the allegations that many other persons posted at Kurukshetra have longer stay vis-a-vis the petitioner, transferred to Kurukshetra from Yamuna Nagar in April, 2017.

After arguing at length to challenge the impugned orders, counsel for the petitioner would inform that the petitioner is ready to join at Baramullah, but his joining there may be kept in abeyance till proceedings

by the Vigilance Department regarding misuse of official vehicles are completed. She would further argue that keeping in view disturbed conditions in the State of Jammu and Kashmir and created due to Covid-19, it may become virtually impossible for the petitioner to travel from Baramullah to Kurukshetra for pursuing the aforesaid complaint. She has prayed that some time bound directions may be issued to the Vigilance Department to complete pending investigation/inquiry and in the meanwhile, the petitioner may be permitted to continue working at Kurukshetra.

Counsel for the respondents has vehemently contested plea of the petitioner with regard to challenge to the impugned orders. With regard to plea of the petitioner that his joining at Baramulla may be kept in abeyance till completion of proceedings by the Vigilance Department, it is argued that the petitioner would be allowed to come to Kurukshetra for attending the proceedings as and when required and all his expenses for the purpose would be borne by the corporation.

Be that as it may, it is undisputed position of the case that on the basis of initiation of the petitioner, Vigilance Department of the Corporation is seized of the matter to examine the allegations with regard to misuse of vehicles by higher officials of the Corporation. The petitioner has been transferred to Baramullah, a station of hard posting, clearly depicted in the document dated 15.11.2019 (Annexure P16). It would be extremely difficult nay impossible for the petitioner to appear before the vigilance authorities for recording his statement as well as statements of witnesses to be examined on his behalf in case he joins at Baramullah. In the given circumstances, interest of justice commands that the present writ petition be disposed of with the following directions:-

1. The joining of the petitioner at Baramullah shall be kept in abeyance for a period of 45 days w.e.f. today.
2. The Vigilance Department of the Corporation shall positively examine the petitioner during the period of 45 days.
3. The petitioner shall not be entitle to seek an adjournment either for his own examination or the

witnesses to be examined on his behalf (whose examination is allowed by the Vigilance Department in the context of their relevance for the purpose).

4. The Vigilance Department would put its best efforts to complete the proceedings expeditiously. However, every effort would be made to complete examination of witnesses in the aforesaid terms, within 45 days.

Ordered accordingly.

13.08.2020

(REKHA MITTAL)
JUDGE

ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No