

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

**CWP-11462-2020 (O&M)
Date of Decision : 07.08.2020**

Kharaiti Lal Petitioner
Versus

State of Haryana and others Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Mohnish Sharma, Advocate
for the petitioner.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing due to the outbreak of Pandemic COVID-19.

Through this petition under Articles 226/227 of the Constitution of India, prayer has been made for quashing/setting aside the illegal, arbitrary and factually incorrect orders dated 21.05.2019 and 19.01.2017, passed by respondent Nos.3 and 4 respectively.

Briefly, on 30.10.2014 and 01.11.2014, during checking, certain cases of theft of electricity by consumers were detected at Panipat. However, related information was not provided timely for lodging the complaint to the police which was required to be submitted within 24 hours of detection of theft as per mandatory provision of Electricity Act. Petitioner as a Commercial Assistant (CA), working in the office of SDO/, Sanoli Road Sub Division, UHBVN, Panipat was found guilty for the aforesaid lapse.

Heard.

This Court is of the considered opinion that it was bounden and legal duty of petitioner as a Commercial Assistant to collect the video CD of theft from the checking staff and submit the same to concerned authority for lodging the FIR. He acted negligently and did not bother to discharge his official duty as a responsible employee.

Considering the aspect of the matter, stoppage of two increments of the petitioner by respondent No.2-Uttar Haryana Bijli Vitran Nigam Ltd., Panchkula is not disproportionate to his act and misconduct. Thus finding no merit in the instant petition, the same is dismissed.

07.08.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No