

Mohinder Sharma

..... PETITIONER

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and another

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILLPresent: Mr. Vikas Kuthiala, Advocate
for the petitioner.Mr. Deepak Manchanda, Advocate
for the respondents.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Learned counsel for the petitioner submits that termination of the petition took place solely on the ground that the certificate on the basis of which the petitioner got employment, was found to be bogus during verification and a criminal case was registered against him. It is submitted that the petitioner did not challenge the termination order as he was awaiting judgment in the proceedings arising out of FIR No.357 dated 19.05.2014, under Sections 409/420/467/468/471/120B IPC (Annexure P5). The petitioner, it is submitted, has since been acquitted in the said criminal proceedings vide judgment date 26.02.2020 and it is thereafter, the present writ petition has been filed.

It is not in dispute that the petitioner has an alternate efficacious remedy of appeal to challenge termination order dated 15.05.2014 before the

appellate authority i.e., the Superintending Engineer as per the Uttar Haryana Bijli Vitran Nigam Employees (Punishment and Appeal) Regulations, 2017.

In this view of the matter, learned counsel for the petitioner seeks to withdraw this petition with liberty to file an appeal as per the abovesaid regulations. However, learned counsel for the petitioner submits that the bar of limitation may not be raised by the respondents. Keeping in view the fact that the petitioner was acquitted on 26.02.2020 and thereafter, due to lockdown and outbreak of COVID-19, the petitioner could not take any action, it is contended that there is actually no delay on the part of the petitioner.

Petition is, accordingly, dismissed as withdrawn with liberty as aforementioned. In case an application for condonation of delay is moved by the petitioner, the same be considered sympathetically by the authorities, in accordance with law.

December 10 , 2020.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No