

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

**CWP-20577-2020(O&M)
Date of Decision:25.02.2021**

Bijender Singh

..... Petitioner

versus

**Haryana Vidyut Parsaran Nigam
Limited and others**

..... Respondents

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

Present: Mr.Ashwani Kumar Antil, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner is serving on the post of Junior Engineer under the Uttar Haryana Bijli Vitran Nigam Limited.

Challenge in the instant petition is to the order dated 08.06.2020 (Annexure P-9) passed by the Punishing Authority whereby penalty of recovery of 40% of the loss suffered by the Nigam which was paid as compensation in the light of a Court order as also stoppage of one annual increment with future effect has been imposed.

During the course of arguments it has gone uncontroverted that the penalty so imposed is upon culmination of departmental proceedings that were initiated under the Uttar Haryana Bijli Vitran Nigam Employees

(Punishment and Appeal) Regulations, 2018. A complete copy of the

regulations was forwarded by counsel through e-mail today.

This Court has perused the same.

Rule 4 lays down the minor as also major penalties that may be imposed upon a Nigam employee. Rule 9 confers a statutory right of appeal to an employee against any of the penalties imposed and as specified in Rule 4.

It clearly emerges that the petitioner has a statutory right of appeal against the impugned order dated 08.06.2020 (Annexure P-9). Under such circumstances this Court would refrain from examining the validity of the order dated 08.06.2020 (Annexure P-9).

While declining to interfere and dismissing the instant petition, liberty is granted to the petitioner to avail of his statutory remedy of appeal if so advised.

It is clarified that this Court has not examined the case on merit.

Dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

25.02. 2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No