

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

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CWP-16175-2022

Date of decision : 27.07.2022

Sewa Ram

... Petitioner

Versus

UHBVNL and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

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

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 12.02.2020 (Annexure P-3) passed by respondent No.3 whereby he has been imposed punishment of stoppage of one annual increment without future effect.

Learned counsel for the petitioner submits that the petitioner has been made a scapegoat and no action has been taken against other officials against whom similar allegations have been levelled. Two of the officers had expired while two others have been let off with warnings. He also submits that the action of the respondents is illegal and contrary to the law laid down by this Court in the cases of **Dalip Singh, PCS, Sub Divisional Magistrate, Talwandi Sabo versus State of Punjab and others**, passed in CWP No.454 of 1985, decided on 30.11.1995 and **Amarjit Singh Bhatnagar and another versus State of Punjab and others**, passed in CWP No.5892 of 1995, decided on 07.12.1995.

Heard.

The petitioner was working as a Meter Reader and the allegations were that while conducting a raid at the premises of a consumer, the same was not videographed or photographed contrary to the instructions of the respondent/Corporation. There was tampering with the meter seals and an effort

had been made to help the consumer to evade penalty. However, the matter had been enquired into and when the discrepancies were found including tampering of the meter seals, penalty of Rs.7,87,384/- had been imposed on the consumer. The additional allegation against the petitioner was that he had not been maintaining the records of City, Sub-Division Panipat. The petitioner had been given adequate opportunity to present his defence before passing the impugned order. He had only been awarded stoppage of one annual increment without future effect vide the impugned order dated 12.02.2020 (Annexure P-3).

The judgments relied upon by the counsel for the petitioner are distinguishable on facts and not applicable to the instant case. In the case of **Amarjit Singh Bhatnagar and another versus State of Punjab and others(supra)**, there was an undue delay as the chargesheet had been served in the year 1975 and the punishment was imposed after 20 years. In the case of **Dalip Singh, PCS, Sub Divisional Magistrate, Talwandi Sabo versus State of Punjab and others(supra)**, the petitioner therein had retired from service, a period of 24 years had elapsed from the date of the incident and there was no allegation of misappropriation of public funds, cheating, fraud or breach of trust and it was in such circumstances that the chargesheet was quashed. However, in the instant case, there were serious allegations against the petitioner of tampering with the meter seals and trying to help the consumer to evade penalty.

Consequently, I do not find any illegality in the impugned order and the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

July 27, 2022
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No