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

CWP No. 3528 of 2023

Date of decision : March 13, 2023

Lal Singh

..... Petitioner

Versus

Punjab State Power Corporation and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :-Mr. J. S. Jaidka , Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

Present petition has been filed under Article 226/227 of the Constitution of India praying for issuance of writ in the nature of certiorari for quashing/withdrawing the letters dated 31.10.2022 and 10.02.2023 (Annexures P-1 and P-2) whereby action against the petitioner has been recommended in form of that FIR registered against the petitioner.

Learned counsel for the petitioner submits that in view of the office order issued vide Memo No.9117/9786 GRVC-10 dated 18.06.2021, no such action can be taken.

I have heard learned counsel for the parties and have gone through

the record of the case.

Whole of the case of the petitioner is based upon one office order issued by Deputy Chief Engineer/Tech 2 Division Management bearing Memo No.9117/9786 GRVC-10 dated 18.06.2021 which reads as under:-

“Memo No. 9117/9786 GRVC-10 dated 18.06.2021

Subject:-Regarding no inquiry based on anonymity/Unsubstantiated complaints..

Reference:- Regarding this office's memo no.17037/17337 GRVC/10 dated 05.01.11.

In relation to the above subject/reference it is written that it has come to the notice of this office that P.S.P.C.L. Whenever any complaints are received against the employees/officials of the said complaints there are some such complaints which are without facts/without affidavit/evidence/anonymity type. These are done only to harass the employees/officials and tarnish their image. On which investigations/actions are initiated by many offices without the approval of the competent authority and without facts/solid evidence/without affidavits, while Action should be taken only as per the instructions of the letter issued under the said reference.

Kindly make sure to follow the instructions issued through the letter mentioned below.

It is issued with the approval of the competent authority.”

From perusal of the same it is evident that the authorities are well aware of the circumstances wherein the employees have falsely been implicated. However, the same cannot be read as a blanket order for not initiating proceedings against the employees of the corporation. Obviously, where ever and whenever corporation finds that it is desirable and necessary to proceed against an employee, order Annexure P-5 cannot have an effect of debarring the same.

In view of the aforesaid, this Court does not find any ground to

interfere in the present writ petition. The same is dismissed accordingly.

(PANKAJ JAIN)
JUDGE

March 13, 2023
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Whether speaking/reasoned	Yes
Whether Reportable :	No