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

CWP-23796-2025

Date of decision: 19.08.2025

Ashwani Kumar

....Petitioner

Versus

Punjab State Power Corporation Ltd.
through its Chairman-cum-Managing Director

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Arpandeeep Narula, Advocate
for the respondent.

HARPREET SINGH BRAR, J. (ORAL)

The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the charge sheet dated 25.04.2022 issued by respondent No.7 (Annexure P-1), the enquiry report dated 16.09.2024 conducted by respondent No.7 (Annexure P-8).

Learned counsel for the petitioner *inter alia* contends that a charge sheet was issued against the petitioner on 25.04.2022 (Annexure P-1). The petitioner filed a detailed reply to a charge sheet on 30.06.2023. The inquiry was conducted in complete derogation to the procedure prescribed under Rule 10 of the Punjab State Electricity Board Employees (Punishment and Appeal) Rules, 1971 (hereinafter referred to as 'Rules, 1971'). No evidence as mandated under Rule 10 of Rules, 1971 was taken. The findings have been returned merely on the basis of reply filed by the petitioner, as such, the act

and conduct of the Inquiry Officers not only violates the principle of natural justice but also violates the procedure prescribed. Thereafter, the petitioner filed a representation on 04.12.2024. Although, in the subject the word ‘appeal’ has been mentioned but contents of Annexure P-9 clearly indicates that it was a representation. Vide impugned order dated 21.05.2025 (Annexure P-10) the same was rejected in a most cryptic manner without application of mind. The perusal of the speaking order clearly indicates that it does not satisfies the objective standards of reason and justice.

Learned counsel for the respondent submits that the petitioner has accepted the part of the misconduct and came forward to deposit the cost of the shortage of material, as such, his representation was decided accordingly. The petitioner has not availed the right to statutory appeal. However, he could not controvert the fact that the inquiry was not conducted in the manner as provided under Rule 10, 9 (3) of the Rules, 1971.

In view of the peculiar facts and circumstances of the case and without commenting further on the merits of the case, the present writ petition is disposed of and impugned orders dated 16.09.2024 and 21.05.2025 (Annexures P-8 & P-10, respectively) are hereby set aside. Further, the respondents are directed to hold the inquiry strictly in accordance with law as provided under the Rules, 1971 and conclude within a period of four months from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

19.08.2025
Neha

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