



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-13998-2026 (O&M)
Date of decision: 06.05.2026

Kulwant Singh

....Petitioner

Versus

Chairman, Haryana Power Utilities, Panchkula and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Garvit Mittal, Advocate
for the petitioner.

Mr. R.K. Chaudhary, Advocate
for Mr. Sukhdeep S. Parmar, Advocate
for the respondents.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the impugned suspension order dated 18.03.2026 (Annexure P-11) whereby the petitioner has been ordered to be placed under suspension by the respondents immediately after reinstating him in service vide order dated 18.03.2026 (Annexure P-10) in compliance of the judgment dated 03.12.2025 (Annexure P-9) passed by this Court in an earlier round of litigation of the petitioner i.e. **CWP No.35929 of 2025** titled as ***Kulwant Singh vs Chairman, Haryana Power Utilities, Panchkula and Others***. Further a writ of *mandamus* has been sought, directing the respondents to re-instate the petitioner back in service forthwith and grant him all consequential benefits,



including arrears of pay, seniority etc. along with interest @ 18%, in view of the order dated **19.01.2026** (Annexure P-13) passed in **CWP No.1117 of 2026** titled as ***Pooja Gera vs State of Haryana and Others*** and further on account of his reinstatement in service vide order dated 18.03.2026 (Annexure P-10) passed by the respondents.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was initially suspended on 17.06.2022. In terms of the Instructions dated 15.03.2022 as well as the order dated 02.12.2022 passed in **CWP-27601-2022**, titled as ***Sukhbir Singh vs State of Haryana and others***, the earlier writ petition filed by the petitioner i.e. **CWP-35929-2025**, titled as ***Kulwant Singh vs Chairman, Haryana Power Utilities, Panchkula and others***, was allowed by this Court on **03.12.2025** and the appointment of Enquiry Officer along with all subsequent orders including the punishment order were set-aside as the same have been passed without following the drill of Regulation 7(A) (1) of the UHBVNL (Punishment & Appeal) Regulations, 2018. He further submits that this Court while allowing the writ petition i.e. **CWP-35929-2025**, has also granted liberty to the respondents to start the *de novo* disciplinary proceedings against the petitioner in accordance with the applicable UHBVNL (Punishment & Appeal) Regulations, 2018 and appoint an Enquiry Officer in terms of the Instructions dated 15.03.2022. However, the respondent/Corporation has once again passed the suspension order on 18.03.2026 as discernible from Annexure P-11. He further argues that the petitioner is under



suspension for the last four years which is contrary to the law laid down by the Hon'ble Supreme Court in *State of Tamil Nadu vs Parmod Kumar IPS, (2018) 17 SCC 677* and *K. Sukhender Reddy vs State of A.P. and another, (1999) 6 SCC 257*, whereby it has been clarified that a delinquent employee cannot be placed under suspension for an indefinite period. Further, it was held that suspension must necessarily be of a short duration as the delinquent employee is entitled to speedy conclusion of disciplinary proceedings initiated against him. This Court has also reiterated the said legal position in **CWP-1117-2026**, titled as *Pooja Gera vs State of Haryana and others*, decided on **19.01.2026**, and ordered reinstatement of the petitioner therein forthwith.

2.1. Learned counsel for petitioner further submits that the action of the respondent/Corporation in passing the impugned suspension order dated 18.03.2026, is contemptuous as no liberty was granted by this Court to suspend the petitioner once again rather the respondents were granted liberty to start *de novo* disciplinary proceedings against the petitioner in accordance with the applicable UHBVNL (Punishment & Appeal) Regulations, 2018 and appoint an Enquiry Officer in terms of the Instructions dated 15.03.2022.

3. *Per contra*, learned counsel for the respondents submits that although the petitioner was initially suspended on 17.06.2022, however, he was dismissed on 23.05.2023 (Annexure P-7), however, he could not controvert the fact that this is the third round of litigation and the earlier orders including the order vide which the Enquiry Officer



was appointed has been set-aside by this Court. He further could not distinguish the case of the petitioner from the law laid down by this Court in ***Pooja Gera's case (supra)***.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. From the perusal of the record, it is apparent that the petitioner earlier approached this Court by filing **CWP-35929-2025**, which was allowed by this Court on **03.12.2025**. The operative part of the said judgment reads as follows:-

*6. In view of the Instructions dated 15.03.2022 (Annexure P-29) as well as the order passed by this Court on 02.12.2022 in **Sukhbir Singh's case (supra)**, the present petition is allowed and the appointment of Enquiry Officer vide order dated 14.07.2022 (Annexure P-3) along with all subsequent orders including the punishment order dated 23.05.2023 (Annexure P-24) are set-aside, as the same have been passed without following the drill of Regulation 7(A)(1) of the UHBVNL (Punishment & Appeal) Regulations, 2018.*

7. However, liberty is granted to the respondents to start the de novo disciplinary proceedings against the petitioner in accordance with the applicable UHBVNL (Punishment & Appeal) Regulations, 2018 and appoint an Enquiry Officer in terms of the Instructions dated 15.03.2022 (Annexure P-29).

6. Furthermore, this Court in ***Pooja Gera's case (supra)*** has relied upon the law laid down by the Hon'ble Supreme Court in ***Parmod Kumar's case (supra)*** and ***K. Sukhender Reddy's case (supra)*** and reiterated the aforesaid legal position. The operative part of the said judgment, reads as under:-



10. *The employer must conduct proceedings diligently and without unnecessary delay. Protracted enquiries defeat the very purpose of disciplinary mechanism, instead of ensuring efficiency, integrity, and accountability they breed inefficiency, demoralization, and distrust in the system. A lack of seriousness in pursuing charges reflects poorly on the administration and may indicate malice or oblique motives, the employer cannot be permitted to keep the sword of disciplinary action dangling over an employee indefinitely.*

11. *Moreover, the Hon'ble Supreme Court in **State of Tamil Nadu vs Parmod Kumar IPS, (2018) 17 SCC 677** and **K. Sukhender Reddy vs State of A.P. and another, (1999) 6 SCC 257**, has clarified that a delinquent employee cannot be placed under suspension for an indefinite period. Further, it was held that suspension must necessarily be of a short duration as the delinquent employee is entitled to speedy conclusion of disciplinary proceedings initiated against him. Reliance in this regard can also be placed on the judgment rendered by this Court in Ashok Kumar's case (*supra*).*

12. *In view of the foregoing reasons and the settled legal position, the present writ petition is partly allowed. The impugned order dated 31.03.2025 (Annexure P-12) is hereby set aside. The respondents are directed to conclude the disciplinary proceedings or enquiry against the petitioner within a period of 06 months from the date of receipt of a certified copy of this order, strictly in terms of the law laid down by this Court in **Khairati Lal's case** (*supra*).*

13. *In the event the respondents are unable to conclude the disciplinary proceedings or enquiry within the said period of 06 months due to cogent and unavoidable reasons, they shall be at liberty to conclude the disciplinary proceedings or enquiry within a further period of 03 months, by recording detailed and reasoned justification in writing and by duly communicating the same to the petitioner.*

14. *The respondents are further directed to reconsider and decide the claim of the petitioner afresh with regard to enhancement of subsistence allowance in*



accordance with Rules 83 and 84 of the Haryana Civil Services (General) Rules, 2016, keeping in view the observations made hereinabove, within a period of 04 weeks from today.

15. The petitioner shall also be reinstated forthwith on the post of Commercial Assistant. Further subject to outcome of the disciplinary proceedings, the petitioner would be entitled to all consequential benefits, including the differential subsistence allowance, if any, arising therefrom, as admissible in law.

7. In view of the above discussions, the writ petition is allowed and the impugned suspension order dated 18.03.2026 (Annexure P-11) is hereby quashed and set-aside. The respondents are directed to reinstate the petitioner forthwith in service.

(HARPREET SINGH BRAR)
JUDGE

06.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No