



RSA-1354-2006 (O&M)

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

RSA-1354-2006 (O&M)

UHBVNL AND ANR

..Appellants

Versus

HARBANS LAL

..Respondent

Reserved on: 23.03.2026

Pronounced on : 08.04.2026

Uploaded on : 08.04.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Ms. Anjali Singh, Advocate
for Mr. Rajesh Gaur, Advocate for the appellants.

Mr. Shvetanshu Goel, Advocate
Ms. Kritika Gupta, Advocate for respondent.

SUDEEPTI SHARMA, J.

1. The present regular second appeal is filed against judgment and decree dated 09.03.2005 passed by learned Civil Judge (Senior Division) Karnal, whereby civil suit filed by the respondent was decreed in his favour, as well as judgment and decree dated 15.09.2005 passed by learned Additional District Judge, Karnal, whereby appeal filed by the appellants against judgment and decree dated 09.03.2005 was dismissed.

BRIEF FACTS OF THE CASE

2. Brief facts of the case as per the pleadings in the civil suit are that respondent was working as Meter Reader in the office of A.E.E., Model Town, Sub-Division, UHBVN, Karnal. He was issued charge-sheet dated 08.07.1998 on the ground that he took wrong reading in four figures of account No.LM-30/450 from January 1996 to May 1996 instead of recording

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the reading of five figures. Due to this negligence, he caused loss of Rs.1,94,000/- to the Board as reading to be accumulated. It was further alleged that he was required to take reading in five figures instead of four figures. He filed reply to the chargesheet. Thereafter, an enquiry officer was appointed who conducted enquiry and submitted his finding on 30.11.1999. Respondent was given a show cause notice on 08.12.1999. Respondent submitted reply to the same. Thereafter, order of stopping of two annual increments with future effect was passed by the appellants. It was pleaded by the respondent that he had joined duties in O.P. Model Town, Sub-Division, Karnal in January 1996. He remained there upto May 1996. The meter was installed in May 1995 prior to his posting. Initial reading of meter was 21. In May 1996, the reading was 5206. After his transfer, another meter reader Jai Kishan took reading in four figures only. Meter was then removed from the site vide MCO No.53 dated 28.10.1996, but no action was taken against Jai Kishan. It is further pleaded that enquiry officer had held that it was not possible to consume that big amount of electric energy by the domestic consumer. Copy of enquiry was not supplied to him before issuing show cause notice. He requested the appellants number of times to accept his claim but the same was not accepted. Therefore, he filed civil suit challenging the punishment order dated 12.05.2000, whereby, his two annual increments with future effect were stopped. The civil suit filed by him was decreed in his favour vide judgment and decree dated 09.03.2005 passed by learned Civil Judge (Senior Division), Karnal. Thereafter, the appellants filed appeal challenging judgment and decree 09.03.2005 which was dismissed by learned Additional District Judge, Karnal vide judgment and decree dated 15.09.2005. Hence, the present appeal.

**SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES:-**

3. Learned counsel for the appellants contends that both the courts did not appreciate the evidence on record while decreeing the civil suit filed by the respondent and dismissing the appeal filed by the appellants. She, therefore, prays that the present appeal be allowed.

4. Per contra, learned counsel for respondent contends that both the courts have rightly decreed the civil suit filed by the respondent and dismissed the appeal filed by the appellants. He, therefore, prays that the present appeal be dismissed.

5. I have heard learned counsel for the parties and have perused the whole record of the case with their able assistance.

6. It is admitted fact that respondent was meter reader and according to the allegations, he took wrong reading of meter of account No.LM-30/450. He was required to take reading in five figures but in collusion with the consumer the consumption was shown to be in four figures, but the same is not correct since admittedly the meter was installed in May 1995, whereas, respondent was sent there in January 1996. There was nothing on record to show that from May 1995 to January 1996 reading was in five figures. Respondent was transferred there from May 1996 but the meter reading was in four figures and was remained same till meter was removed in October 1996.

7. Further the meter was removed and consumer was not shown reading proof that it was in five digits. It is further clear and proved from the fact that consumer at that point of time challenged the bill claiming it to be illegal. The claim was accepted by the Court. The judgment in this regard is Ex.P7 and Ex.P8 which is part of record.



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8. Further, the department had appointed Enquiry Officer to go into the charges leveled against respondent but said Enquiry Officer gave his report exonerating the respondent. It was held by the Enquiry Officer that the connection was of a house and in domestic connection, such a big consumption was not possible. Further that if reading was recorded in five digits then monthly consumption would be 4400 units which is not possible. Still on the basis of alleged dissenting note by competent authority two increments of respondent were stopped but there is no evidence and no such note was made available either to the respondent or to the Court which was the basis of imposing punishment on the respondent. Therefore, order imposing punishment was bad in the eyes of law since for no fault on the part of the respondent, punishment was imposed.

DECISION

9. In view of the above, I do not find any infirmity and illegality in judgment and decree dated 09.03.2005 passed by learned Civil Judge (Senior Division) Karnal and judgment and decree dated 15.09.2005 passed by learned Additional District Judge, Karnal, the same are hereby affirmed.

10. Accordingly, the present appeal is **dismissed**. Parties are left to bear their own costs.

11. Decree sheet be drawn.

12. Pending miscellaneous applications, if any, are also disposed of.

08.04.2026

Ayub/Sahil

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No