



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

CWP-18297-2026

Date of decision: 29.05.2026

Anil Kumar

....Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ram Pal Verma, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Advocate
for the respondent-Corporation.

HARPREET SINGH BRAR, J. (ORAL)

1. 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 *mandamus* directing the respondents to consider and decide the representation dated 28.05.2025 (Annexure P-6) and legal notice dated 07.05.2025 (Annexure P-7).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined as Lineman on 17.08.2017. The seniority list circulated on 11.07.2024 (Annexure P-1) indicates that the petitioner was placed at serial No.72, thereafter, a charge sheet was issued on 31.05.2024. However, the petitioner was exonerated on 13.05.2025 (Annexure P-4). The department had promoted all Lineman from serial No.1 to 182 vide order dated 30.07.2024 (Annexure P-5). The petitioner was at serial No.72 and he was not promoted due to the pendency of the charge sheet.

3. Learned counsel for the petitioner further relies upon the judgment of the Hon'ble Supreme Court in '**Union of India Vs. K.V. Jankiraman**'1991 (3) SCT 317 and submits that sealed cover procedure was not adopted and petitioner's name was not even considered when the promotions to other



CWP-18297-2026

-2-

Lineman were made on 30.07.2024. A prejudice has been caused to the petitioner as his juniors have been promoted, in spite of the fact that the petitioner earned a clean chit in the departmental proceedings. Petitioner served a legal notice dated 07.05.2026 (Annexure P-7) which remained unheeded.

4. Learned counsel for the petitioner submits that he would be satisfied if the legal notice (Annexure P-7) of the petitioner is decided by respondent No.1 by passing a speaking order in a time bound manner.

5. Learned counsel appearing for the respondent-Corporation submits that he has no objection in case a direction is issued to respondent No.1 for time-bound consideration and decision of the legal notice of the petitioner by passing a speaking order.

6. Therefore, in view of the limited prayer made by learned counsel for the petitioner, respondent No.1 is directed to consider the legal notice (Annexure P-7) of the petitioner and pass a speaking order, after affording him an opportunity to be heard, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.1.

7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

29.05.2026*Neha*

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