



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
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Date of decision: 19.05.2026

1. CWP-25523-2023 (O&M)

Sukhraj Singh @ Sukhraj Singh Cheema and another
.....Petitioners
Versus
Punjab State Power Corporation Limited and others
.....Respondents

2. CWP-12018-2024 (O&M)

Mohit Nagpal and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

3. CWP-13835-2025 (O&M)

Gagneet Singh Kler and others
.....Petitioners
Versus
Punjab State Power Corporation Limited and others
.....Respondents

4. CWP-25559-2024 (O&M)

Vicky Kumar and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

5. CWP-28782-2024 (O&M)

Parvinder Singh Farwaha and another
.....Petitioners
Versus

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Punjab State Power Corporation Limited and others
....Respondents

6. CWP-31568-2025 (O&M)

Pushpinder Singh and others
....Petitioners

Versus

State of Punjab and others
....Respondents

7. CWP-10365-2025 (O&M)

Abhishek Goyal and others
....Petitioners

Versus

State of Punjab and others
....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. H.C. Arora, Advocate
for the petitioner(s) in CWP-25523-2023
CWP-13835-2025 and CWP-28782-2024.

Mr. Manu K. Bhandari, Advocate
with Mr. Rohit Kataria, Advocate
and Mr. Arjun Sawhni, Advocate
for the petitioner(s)
in CWP-12018-2024 and CWP-25559-2024.

Ms. Eliza Gupta, Advocate
and Ms. Kudrit Kaur Sara, Advocate
for the petitioner(s) in CWP-31568-2025.

Mr. D.S. Patwalia, Sr. Advocate
with Mr. Gaurav Rana, Advocate
for the petitioner(s) in CWP-10365-2025.

Mr. Vikas Sonak, AAG, Punjab.

Mr. Puneet Bali, Sr. Advocate
with Mr. Jasman Singh Gill, Advocate
and Mr. Avi Kaushik, Advocate
for respondent No.2 in CWP-28782-2024,
CWP-13835-2025 and CWP-25523-2023

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and for respondents No.1 and 3 in CWP-12018-2024,
CWP-31568-2025 and CWP-25559-2024.

Ms. Anu Chatrath, Sr. Advocate
with Mr. Ratik Kapur, Advocate
and Mr. Yuvraj Dhananjaya, Advocate
for respondent/PSPCL in CWP-13835-2025.

Mr. Vikas Chatrath, Sr. Advocate
with Mr. Abhishek Sharma, Advocate
and Mr. Anirudh Malhan, Advocate
for respondent/PSPCL in CWP-25523-2023,
CWP-31568-2025, CWP-13835-2025, CWP-10365-2025,
CWP-12018-2024, CWP-28782-2024
and CWP-25559-2024.

Mr. A.D.S. Sukhija, Sr. Advocate
with Mr. Sukhdeep Singh, Advocate
for respondent No.2 in CWP-25559-2024
and for respondents No.1 to 3 in CWP-28782-2024.

Mr. Vivek K. Thakur, Advocate
for respondents No.2 and 3 in CWP-10365-2025.

Mr. Karmanbir Singh, Advocate
for respondent/PSPCL in CWP-12018-2024.

Mr. Pratap Singh Gill, Advocate
for respondent/PSPCL in CWP-25523-2023.

Mr. Gurnoor Singh Sethi, Advocate
for respondents No.2 and 3 in CWP-31568-2025.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CWP-25523-2023, CWP-12018-2024, CWP-13835-2025, CWP-25559-2024, CWP-28782-2024, CWP-31568-2025 and CWP-10365-2025, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-25523-2023.

2. Prayer in the writ petition (CWP-25523-2023) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in

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the nature of mandamus, directing the respondents to repatriate, to the extent required the various Senior Executive Engineers, who are sent from PSPCL (Punjab State Power Corporation Limited) (POWERCOM) to the PSTCL (Punjab State Transmission Corporation Limited) (TRANSCO), on deputation, in order to consider and appoint the petitioners (Assistant Executive Engineers), working in the PSTCL (Punjab State Transmission Corporation Limited), to the aforesaid next promotional post in PSTCL (Punjab State Transmission Corporation Limited), *inter alia*, on the grounds that (i) the petitioners, who are otherwise eligible for promotion to the post of Senior Executive Engineer, and are within zone of consideration, are not being promoted to the said post, purportedly for want of vacancies of Senior Executive Engineer in the PSTCL (Punjab State Transmission Corporation Limited) while forty six posts of Senior Executive Engineers in the PSTCL (Punjab State Transmission Corporation Senior Executive Limited) are occupied by Engineers, who have come on deputation from POWERCOM (PSPCL). Further a writ of prohibition has been sought for restraining the respondents from sending the Senior Executive Engineers of Punjab State Power Corporation Limited (PSPCL), on deputation to the Punjab State Transmission Corporation Limited (PSTCL), *inter alia*, on the grounds that (i) the petitioners, who are employed in the Punjab State Transmission Corporation Limited (PSTCL), are not being promoted from post of Assistant Executive Engineer, to the post of Senior Executive Engineer, for want of requisite



number of vacancies of Senior Executive Engineers in the Punjab State Transmission Corporation Limited (PSTCL). Another prayer has been made to restrain the respondents from issuing any further orders for sending the officers of Punjab State Power Corporation Limited (PSPCL), on deputation to the Punjab State Transmission Corporation Limited (PSTCL), during the pendency of the instant writ petition.

3. The case of the petitioner(s) is that they are eligible and within the zone of consideration for promotion to the post of Senior Executive Engineer in PSTCL, however, they are not being promoted on the ground that the requisite number of vacancies are not available. According to the petitioner(s), a large number of posts of Senior Executive Engineers in PSTCL are occupied by officers who have been sent on deputation from PSPCL and, therefore, the promotional prospects of the petitioner(s) are being adversely affected.

4. During the pendency of the writ petitions, this Court on 16.09.2025, while hearing CWP-12018-2024 and connected matters, had passed the following order:-

1. Learned counsel for the petitioner(s) inter alia contends that the Punjab State Electricity Board (PSEB) was bifurcated into two entities namely- Punjab State Power Corporation Limited (PSPCL) and Punjab Transmission Corporation Limited (Transco). In exercise of the powers conferred by Sections 131, 132, 133 and other applicable provisions of the Electricity Act, 2003, the Government of Punjab (Department of Power) notified the Punjab Power Sector Reforms Transfer Scheme, 2010 (hereinafter 'the Scheme') vide notification dated

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16.04.2010 (Annexure P4), which provides for transfer of functions, assets, properties, rights, liabilities and personnel of the erstwhile PSEB, pursuant to the tripartite agreement executed on 19.11.2010 (Annexure P-5). A perusal of Clause 12 of the tripartite agreement dated 19.11.2010 (Annexure P-5) would indicate that the State Government has the power to finalize the transfer of the personnel from PSPCL to Transco as well as the permanent absorption of such personnel in Transco, in terms of the provisions of the Scheme. Notably, the Scheme applies to 'personnel,' as defined under Clause 2(f), which includes both existing and retired workmen, employees, staff and officers of the PSEB, including those who have been deputed to other organizations or institutions.

2. Learned counsel contends that per Clause 12 of the Scheme, the State Government was obligated to constitute a Committee in regard to transfer and absorption of personnel from PSPCL to Transco. Such transfers and absorption were to be made after taking into account the suitability, ability and experience of the personnel as well as number and nature of vacancies along with other relevant factors. However, the State has significantly faltered in meaningfully implementing the Scheme on account of its failure to constitute a Committee to oversee all the transfer and absorption related issues. As a matter of fact, the Scheme is being used as a shield by the PSPCL to allow itself the liberty of cherry picking candidates, including those who were recruited after the bifurcation, for the purposes of transfers, absorption and promotions.

3. Additionally, the concerned personnel from the PSEB or PSPCL are required to move a representation



prior to such transfer to or absorption in Transco before the Committee, which would further make recommendations to the State Government. Since the State has failed to form the said Committee, the transfers and absorptions are being done in an arbitrary manner, motivated by nepotism and favouritism. He submits that when promotional posts fall vacant with the PSPCL, selection is made by repatriating those who have been serving Transco for the last decade and a half, instead of from those recruited by and working with PSPCL itself. Lastly, learned counsel submits since the issuance of the Scheme in the year 2010, the State Government has neither specified a time limit for the completion of the transfer and absorption exercise nor for constitution of a Committee for this purpose.

4. In view of the issue raised by learned counsel for the petitioners, this Court is constrained to observe that in spite of the fact that the PSEB was unbundled 12 years ago, the matter of transfer and absorption of personnel still remains unsettled. Since a new entity-Transco was created with a distinct set of responsibilities and functions, in formulating the Scheme, efforts were made to ensure an easy and efficient transition to ensure stability and constitute a separate cadre for Transco for its smooth functioning. However, the whimsical manner adopted by PSPCL in regard to transfer and absorption of personnel is not only antithetical to the object and intent of the policy but also appears to be tainted by mala fide. It remains unexplained as to why not even a Committee, in terms of Clause 12 of the Scheme, has been constituted by the State. Further still, the State Government has also failed to provide a target date for the completion of this exercise,



which yet again defeats the entire purpose of framing the said statutory scheme. Clearly, the conduct of the State is symptomatic of policy paralysis and bureaucratic inertia, which cannot go unnoticed by this Court.

5. As such, respondent No.1- the State of Punjab through its Principal Secretary to Government of Punjab, Department of Power, is directed to file an affidavit deliberating upon the following:

(i) Why has Clause 12 of the Scheme not been followed in letter and spirit?

(ii) Why has no time limit been fixed for completion of the transfer and absorption of the personnel or constitutions of a Committee in terms of Clause 12 of the Scheme?

(iii) Provide a detailed roadmap for implementation of the Scheme within reasonable dispatch.

6. Respondent No.2-Chairman-cum-Managing Director, PSPCL and respondent No.3-Chairman cum-Managing Director, Transco are also directed to submit the complete particulars of regarding the cadre strength, number of vacancies, nomenclature of all posts in PSPCL and Transco, respectively, along with the details of repatriation of candidates from Transco.

7. The needful be done within 04 weeks of receipt of a certified copy of this order.

8. List on 28.10.2025.

9. To be taken up immediately after the urgent list.

10. Photocopy of this order be placed on the file of connected cases.

5. In compliance of order dated 05.05.2026, an affidavit of Dr.

Basant Garg, IAS, Administrative Secretary, Department of Power,

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Government of Punjab, Chandigarh, has been filed in the Court along with a Notification dated 11.05.2025 (Annexure R-1) (in CWP-12018-2024), which is taken on record.

6. Learned Senior counsel for the petitioner(s) have raised certain objections to the newly issued Notification dated 11.05.2026 (Annexure R-1) and submits that the same adversely affects the service rights and promotional prospects of the petitioner(s) and, therefore, the petitioner(s) intend to challenge the same independently in appropriate proceedings.

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

8. A perusal of the Notification dated 11.05.2025 (Annexure R-1, attached with the affidavit) reveals that the Government of Punjab has now taken a policy decision in respect of the issues pertaining to transfer, deployment, absorption and cadre management of personnel between Punjab State Power Corporation Limited (PSPCL) and Punjab State Transmission Corporation Limited (PSTCL). The said Notification substantially alters the existing administrative framework governing the inter-corporation deployment and absorption of technical personnel.

9. Since the Notification dated 11.05.2026 has been issued during the pendency of the present writ petitions and has direct bearing on the controversy involved herein, this Court does not deem it appropriate to examine the merits of the controversy in the present proceedings.

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10. At this stage, learned Senior counsel for the petitioner(s) submits that the petitioner(s) may be granted liberty to file a fresh petition by challenging the aforesaid Notification dated 11.05.2026.
11. In view of the above, without expressing any opinion on the merits of the case(s), all the captioned writ petitions are disposed of with liberty to the petitioner(s) to assail the Notification dated 11.05.2026 and raise all consequential pleas available to them in accordance with law, if so advised.
12. Pending miscellaneous application, if any, also stands disposed of.
13. A photocopy of this order be placed on the file of other connected cases.

(HARPREET SINGH BRAR)
JUDGE

19.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No