



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

**CM-3304-LPA-2026 in/and
LPA-768-2022 (O&M)
Date of Decision:20.05.2026**

SEWA RAM

.....APPELLANT(S)

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND OTHERS

....RESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Mohnish Sharma, Advocate
for the applicant-appellant.

Mr. Deepak Balyan, Advocate and
Mr. Kapil Dhundwal, Advocate
for the respondents.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-3304-LPA-2026 (recalling)

1. This application under Section 151 CPC read with Order XLI Rule 19 CPC has been filed on behalf of the applicant-appellant for recalling the order dated 21.04.2026 passed by this Court and for restoration of the main appeal to its original number and position.

2. Reason for non-appearance on behalf of the applicant-appellant on 21.04.2026 has been satisfactorily explained.

3. The instant application is accordingly ***allowed***. The order dated 21.04.2026 is hereby recalled and the main appeal is restored to its original number and position.

Main Case (O&M)

4. With the consent of the parties, main appeal is taken on



Board for hearing today itself.

5. This appeal arises out of the judgment of the learned Single Judge refusing to interfere with the minor punishment of withholding one annual increment without cumulative effect awarded to the appellant.

6. Facts, as noticed by the learned Single Judge, are extracted hereinafter:-

“The petitioner was working as a Meter Reader and the allegations were that while conducting a raid at the premises of a consumer, the same was not videographed or photographed contrary to the instructions of the respondent/Corporation. There was tampering with the meter seals and an effort had been made to help the consumer to evade penalty. However, the matter had been enquired into and when the discrepancies were found including tampering of the meter seals, penalty of Rs.7,87,384/- had been imposed on the consumer. The additional allegation against the petitioner was that he had not been maintaining the records of City, Sub-Division Panipat. The petitioner had been given adequate opportunity to present his defence before passing the impugned order. He had only been awarded stoppage of one annual increment without future effect vide the impugned order dated 12.02.2020 (Annexure P-3).”

7. Learned counsel for the appellant submits that the defence of the appellant in the inquiry proceedings had not been adverted to, and that the appellant was not responsible for not getting the premises videographed at the time when the raid was conducted.

8. Even otherwise, the law is well settled that having initiated a



disciplinary inquiry for a major punishment, the authorities would be justified in imposing a minor punishment without undergoing the rigours of a disciplinary inquiry. The law in that regard stands settled by the judgment of the Hon'ble Supreme Court of India in ***D.H.B.V.N.L. Vidyut Nagar, Hisar and others vs. Yashvir Singh Gulia, 2013 (11) SCC 173.***

9. Learned counsel for the appellant also submits that where reasons have not been given, the order of punishment would be rendered illegal. Reliance is placed upon the judgment of the Supreme Court in ***Ram Phal vs. The State of Haryana and others, 2009 (3) SCC 258.***

10. Learned counsel for the respondents, on the other hand, points out that, being a Meter Reader, it was the responsibility of the appellant to ensure that departmental instructions were adhered to and any violation thereof has to be viewed seriously.

11. Having gone through the material on record, we find that the specific charge against the appellant was of helping a consumer of electricity who had tampered with the meter, which caused huge losses to the Corporation. The task of meter reading was assigned to the appellant. The authorities have found the appellant responsible for not adhering to the departmental instructions.

12. Considering the nature of the punishment imposed, as also the charges levelled, we do not find any error in the view taken by the learned Single Judge.

13. In that view of the matter, the instant appeal fails and is accordingly ***dismissed.***



14. All pending misc. application(s), if any, also stand disposed of.

**[ASHWANI KUMAR MISHRA]
JUDGE**

**[ROHIT KAPOOR]
JUDGE**

MAY 20, 2026

Rahul Joshi

1. Whether Speaking/reasoned	Yes/No
2. Whether Reportable	Yes/No