



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3560 of 2026

Ravindra Nath Taigor

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) : Pranesh Kumar Mishra

Counsel for Respondent(s) : Brajesh Pratap Singh, C.S.C., Jitendra Sarin

Court No. - 34

HON'BLE VIKRAM D. CHAUHAN, J.

1. Learned counsel for petitioner submits that petitioner is Junior Engineer under the respondents and has been placed under suspension by the impugned order dated 10.9.2025. Learned counsel for petitioner submits that order of suspension itself is without jurisdiction as the disciplinary authority of the petitioner is Chief Engineer and as per Uttar Pradesh Power Corporation Limited Employees (Disciplinary & Appeal) Regulation 2020, power of suspension is vested with the appointing authority i.e. Chief Engineer. It is further submitted that under the Regulation 2020, no delegation has been made to Superintendent Engineer by the Chief Engineer. Learned counsel for petitioner submits that previous delegation by way of executive instruction may not hold the field, as the aforesaid executive instructions stand eclipsed by the subsequent Regulation 2020. There is no order of delegation after the operation of Regulation 2020. Learned counsel for petitioner further submits that suspension has not been made in contemplation of disciplinary proceedings and as such, the suspension order is not permissible under law.

2. Learned counsel for respondent submits that the orders of the delegation are required to be brought on record. Although learned counsel for respondent fairly submits that under Regulation 2020 directly no delegation has been made to the Superintendent Engineer. However, he would be placing the previous delegation prior to enforcement of Regulation 2020 before this Court.

3. It is not in dispute that under Uttar Pradesh Power Corporation Limited Employees (Disciplinary & Appeal) Regulation 2020, there is no delegation of the power. The question which arises for consideration before this Court is whether any previous delegation prior to coming into force of Regulation 2020 would remain in effect after the enforcement of the Regulation 2020 and in this respect, the previous delegation and the power under which such delegations have been made and the saving clause are required to be looked into. Such issue is required to be dealt with after filing of the counter affidavit. At present there is no dispute that under Regulation, the power is vested with the Chief Engineer for suspension. However, no delegation has been made under Regulation 2020.

4. Be that as it may, till the next date of listing, the suspension of the petitioner shall remain stayed. However, respondents authority which has the power to suspend would be at liberty to ratify the suspension order in accordance with law.

5. List on 15th May, 2026.

6. In the meantime, learned counsel for the respondents may file counter affidavit

(Vikram D. Chauhan,J.)

March 18, 2026
Bhaskar