



HARYANA VIDYUT PRASARAN NIGAM LTD

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To

1. The CE/Admn. HVPNL, Panchkula.
2. The CE/Admn. UHBVN, Panchkula
3. The CE/Admn. DHBVN, Hisar.
4. The CE/Admn. HPGCL, Panchkula.

Memo No.:13-A/LB-2(129)

Dated: 29.10.2025

Subject: CWP No. 22525 of 2025 titled Narayan Singh Vs. DHBVN & Ors.

Attention is drawn to judgment dated 21.08.2025 passed in subject cited writ petition by the Hon'ble High Court whereby Hon'ble High Court dismissed the Writ petition. The operative part order dated 21.08.2025 is reproduced here under:-

"6. Having heard learned counsel for the parties at length and after a careful perusal of record of the case with their able assistance, it transpires that the petitioner ought to have the requisite technical qualification to be recruited by the respondent-Department. The matter pertaining to the fabricated nature of his mark sheet did not come to light till after 12 years of his service. However, the delay cannot be used by the petitioner to claim condonation of the fraud committed by him.

9. Further, a three-Judge bench of the Hon'ble Supreme Court in Jainendra Singh vs. State of U.P. Tr. Prinl. Sec. Home (2012) 8 SCC 748, has categorically held that no estoppels would operate in favour of those who acquired employment by defrauding the employer. Speaking through Justice Fakkir Mohamed Ibrahim Kalifulla, the following was held:

"31. As noted by us, all the above decisions were rendered by a Division Bench of this Court consisting of two-Judges and having bestowed our serious consideration to the issue, we consider that while dealing with such an issue, the Court will have to bear in mind the various cardinal principles before granting any relief to the aggrieved party, namely:

(i) Fraudulently obtained orders of appointment could be legitimately treated as voidable at the option of the employer or could be recalled by the employer and in such cases merely because the respondent employee has continued in service for a number of years, on the basis of such fraudulently obtained employment, cannot get any equity in his favour or any estoppel against the employer.

(ii) Verification of the character and antecedents is one of the important criteria to test whether the selected candidate is suitable to the post under the State and on account of his antecedents the appointing

authority if find not desirable to appoint a person to a disciplined force can it be said to be unwarranted.

(iii) When appointment was procured by a person on the basis of forged documents, it would amount to misrepresentation and fraud on the employer and, therefore, it would create no equity in his favour or any estoppel against the employer while resorting to termination without holding any inquiry.

(iv) A candidate having suppressed material information and/or giving false information cannot claim right to continue in service and the employer, having regard to the nature of employment as well as other aspects, has the discretion to terminate his services. Purpose of calling for information regarding involvement in any criminal case or detention or conviction is for the purpose of verification of the character/antecedents at the time of recruitment and suppression of such material information will have clear bearing on the character and antecedents of the candidate in relation to his continuity in service.

(v) The person who suppressed the material information and/or gives false information cannot claim any right for appointment or continuity in service."

It is an important judgment on the issue that the claim of the petitioner to the post was rejected on the basis of submission of false education certificates with respect to the essential qualification required by Nigam.

It is therefore requested to circulate the judgment amongst the subordinate under your control to dismiss the similar cases by placing reliance on the judgment dated 21.08.2025 passed by Hon'ble High Court. It is also requested to direct the concerned CE/IT and SE/IT DHBVN to host the judgment dated 21.08.2025 on the website of concerned Power Utility. A complete copy of judgment dated 21.08.2025 is enclosed herewith for ready reference.

DA/As above



Legal Officer,
For LR, HPU, Panchkula.

CC:

The S.E./XEN/IT, UHBVN, HVPNL, HPGCL, DHBVN, Panchkula/Hisar are requested to upload the judgment dated 21.08.2025 on the website of their utility.