



HARYANA VIDYUT PRASARAN NIGAM LTD

Regd. Office : Shakti Bhawan, Plot No. C-4, Sector-6, Panchkula 134109
Corporate Identity Number : U40101HR1997SGC033683
Website : www.hvprn.org.in, E-mail: companysecy@hvprn.org.in
Correspondence E-mail - hr@hvprn.org.in, anusinglaalo@edhbvn.org.in
Telephone No. - 0172-2560769, 0172-2571841

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.:33/LB-2(22)

Dated: 13.08.2025

Subject: CWP No. 4775/2025 titled as Jitender Kumar Vs. State of Haryana & Ors.

Attention is drawn to judgment dated 07.07.2025 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 07.07.2025 is reproduced here under:-

"Sub-Regulation (5) of Regulation 5 provides that order of suspension made or deemed to have been made shall continue to remain in force unless it is modified or revoked by competent authority. Sub Regulation (7) provides that order of suspension made at any time be modified or revoked by the authority. Sub-Regulations (5) & (7) of Regulation 5 make it clear that once a suspension order is passed, it shall continue to remain in force until it is modified or revoked by competent authority. Sub-Regulations (5) & (7) would become otiose if it is held that in every case, on the expiry of 90 days, if departmental proceedings are not initiated, the entire proceedings would vitiate.

In the wake of above discussion and findings, this Court is of the considered opinion that the petitioner is not entitled to the benefit of proviso below clause (c) of Sub-Regulation (1) of Regulation 5 of 2019 Regulations. The petition deserves to be dismissed and accordingly dismissed."

It is an important judgment on the issue the petitioner is claiming that charge sheet was issued beyond 90 days from the date of suspension, thus, entire proceedings emanating from the charge-sheet are bad in the eye of law. Period of 90 days prescribed by Regulation 5 of 2019 Regulations for initiating proceedings is mandatory and sacrosanct. There is no question of deviating from the said period and it is quite clear from the provision that period of 90 days is applicable where an employee is suspended on account of contemplated disciplinary proceedings. It is not even applicable where proceedings are pending.

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It is therefore requested to circulate the judgment amongst the subordinate under your control to decide the similar cases by placing reliance on the judgment dated 07.07.2025 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 07.07.2025 on the website of concerned Power Utility. A complete copy of judgment dated 07.07.2025 is enclosed herewith for ready reference.

DA/As above


14/8/25

Legal Officer,
For LR, HPU, Panchkula.

CC:

1. The S.E./XEN/IT, UHBVN, HVPNL, HPGCL, DHBVN, Panchkula/Hisar are requested to upload the judgment dated 07.07.2025 on the website of their utility.
2. The Joint Secy./Legal, HVPNL, Panchkula.
3. The Under Secy./Legal, HVPNL, Panchkula.
4. Dy. District Attorney-I, HVPNL, Panchkula.
5. Dy. District Attorney-II, HVPNL, Panchkula
6. Sh. Aman Dhiman, Legal Consultant, UHBVN, Panchkula.
7. Legal Consultant, HVPNL, Panchkula.
8. Legal Consultant, HPGCL, Panchkula
9. Law Officer, HVPNL, Panchkula
10. Law Officer, DHBVNL, Panchkula.
11. Law Officer, UHBVNL, Panchkula
12. Legal Officer, UHBVN, Panchkula.
13. ALO-1 UHBVN, Panchkula.
14. ALO-2, UHBVN, Panchkula.
15. ALO-3, UHBVN, Panchkula.
16. ALO, DHBVN, Panchkula.
17. ALO, HVPNL, Panchkula.