



HPGCL
AN ISO: 9001, ISO: 14001 &
OHSAS: 18001 COMPANY

HARYANA POWER GENERATION CORPORATION LIMITED

Regd. Office: C-7, Urja Bhawan, Sector-6, Panchkula – 134109

Corporate Identity Number: U45207HR1997SGC033517

Website: www.hpgcl.org.in

Ph. No. 0172-5023444

Email: undersecy.nge@hpgcl.org.in

Fax No. 0172-5022404

From

Chief Engineer/Admn.,
HPGCL, Panchkula.

To

1. All Chief Engineers in HPGCL.
2. Controller of Finance, HPGCL, Panchkula.
3. Controller of Accounts, HPGCL, Panchkula.
4. All Financial Advisors & CAO in HPGCL.
5. All Dy. Secretaries/Under Secretaries in HPGCL.

**Court Case
Most Urgent**

Memo No. 2201 /Ch.149/HPGC/Court Case/HPU/2019/Vol.-II

Dated: 06/12/19

Subject: - CWP No. 24484 of 2016 titled as Anil Seth Vs. UHBVNL & Ors..

Kindly refer to the subject noted above.

In this context, enclosed please find herewith a copy of memo no. 19/LB-2 (210) dated 26.11.2019 received from the office of LR/HPU's, Panchkula for information and taking further necessary action in the matter please.

DA/As above

Sd/-
Under Secy./NGE,
for Chief Engineer/Admn.,
HPGCL, Panchkula.

Endst. No. 2201 /Ch-149/ Court Case HPU 2019 /N-II

Dated: -06/12/19.

A copy of the above is forwarded to XEN/HR & IT, HPGCL, Panchkula for uploading the same on the website of HPGCL at the earliest please.

DA/As above.

Sd/-
Under Secy./NGE,
for Chief Engineer/Admn.,
HPGCL, Panchkula.

CC:-

1. PS to Chief Engineer/Admn., HPGCL, Panchkula



HARYANA VIDYUT PRASARAN NIGAM LTD.

(Govt. of Haryana undertaking)

O/o Legal Remembrancer

Shakti Bhawan, Sector-6, Panchkula

Phone: 0172-2560769, 2571841 Fax: 0172-2560769

E-mail: ln@hvpn.gov.in

From

Legal Remembrancer,
HPU, Panchkula

The CGM/Admn.,
UHBVN, Panchkula.

The CGM/Admn.,
DHBVN, Hisar.

The CE/Admn.,
HPGCL, Panchkula.

The SE/Admn.,-I & II,
HVPNL, Panchkula.

Memo No. 19/LB-2(210)

Dated: 26/11/19

Memo No. 11108
 Dated: 28/11/19
 DS/Estt.
 DS/NGE
 ✓ US/NGECK.
 DS/General
 DST&M
 XEN/HR&TRG
 US/Rectt. *[Signature]*
 CE/Admn.

Subject: CWP No. 24484 of 2016 titled as Anil Sethi V/s UHBVN & Ors.

Attention is drawn to judgment dated 01.10.2019 passed by the Hon'ble High Court vide which Hon'ble Court declined relief of reinstatement into service of UHBVNL to an outsourced employee.

The relevant extract of judgment dated 01.10.2019 is given here under for the facilities of reference:-

"Learned counsel for the petitioner admits that the Contractor is not a party to the present writ petition and once, it is admitted case of the petitioner that he was the employee of the Contractor and not of the Nigam, in the absence of the Contractor i.e. employer of the petitioner, no relief can be granted to the petitioner, at this stage.

Faced with this situation, learned counsel for the petitioner prays that he be allowed to withdraw the present writ petition keeping in view the clarification given by the respondents with liberty to the petitioner to avail his remedy against the Contractor as permissible under law, before the appropriate authority.

P.A to Dir/Secy
 DIRECTOR (vacant)
 TECHNICAL
 NO. 644
 DATE 26/11/19
 CE/ADMIN
 CE/RGTPP
 CE/PTPS
 CE/DCRTPP
 CE/FUEL
 CE/REO
 CE/PLG
 CE/PROJ
 PS
 PA

Suppl-
[Signature]
 02/12/19

Diary No. 1124 US/Estt. HPGCL
 Dated: 28/11/19

[Signature]
 02/12/19
 02/12/19



Dismissed as withdrawn with liberty as prayed for."

It is an important judgment on the issue of termination/reinstatement of an outsourced employee through contractor. The above judgement be circulated to offices under your control for praying dismissal/disposal of similar case by placing reliance on the judgment dated 01.10.2019 passed by Hon'ble High Court. It is also requested to direct the concerned Deputy Secretary, Technical to host the Judgment dated 01.10.2019 on the website of concerned Power Utility. A complete copy of judgment dated 01.10.2019 are enclosed herewith for ready reference.

This issues with the approval of L.R.

DA/As above

Legal Officer,
HPU, Panchkula.

CC:-

1. The Director/Technical, HVPNL, HPGCL & UHBVN, Panchkula for hosting on website.
2. The Deputy Secretary/Technical, UHBVN, DHBVN Hisar for hosting on website.
3. The CE OP Circle, UHBVN, Panchkula & Rohtak.
4. The CE OP Circle, DHBVN, Hisar.
5. The Legal Nodal Officer, UHBVN, Panchkula.



HARYANA VIDYUT PRASARAN NIGAM LTD.

(Govt. of Haryana undertaking)

O/o Legal Remembrancer

Shakti Bhawan, Sector-6, Panchkula

Phone: 0172-2560769, 2571841 Fax: 0172-2560769

E-mail: lr@hvpn.gov.in

From

Legal Remembrancer,
HPU, Panchkula

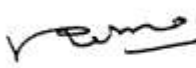
To

The CGM/Admn.,
UHBVN, Panchkula.

The CGM/Admn.,
DHBVN, Hisar.

~~The CE/Admn.,
HPGCL, Panchkula.~~

The SE/Admn.,-I & II,
HVPNL, Panchkula.

Memo No. 11072
Dated: 27/11/19
DS/Estt.
DS/NGE
DS/NGEC-K
DS/General
DST&M
XEN/HR&TRG
US/Rect. 
CE/Admn.

Memo No. 19/LB-2(210)
Dated: 26/11/19

Subject: CWP No. 24484 of 2016 titled as Anil Sethi V/s UHBVN & Ors.

Attention is drawn to judgment dated 01.10.2019 passed by the Hon'ble High Court vide which Hon'ble Court declined relief of reinstatement into service of UHBVNL to an outsourced employee.

The relevant extract of judgment dated 01.10.2019 is given here under for the facilities of reference:-

"Learned counsel for the petitioner admits that the Contractor is not a party to the present writ petition and once, it is admitted case of the petitioner that he was the employee of the Contractor and not of the Nigam, in the absence of the Contractor i.e. employer of the petitioner, no relief can be granted to the petitioner, at this stage.

Faced with this situation, learned counsel for the petitioner prays that he be allowed to withdraw the present writ petition keeping in view the clarification given by the respondents with liberty to the petitioner to avail his remedy against the Contractor as permissible under law, before the appropriate authority.

Diary No. 1118 US/Estt., HPGCL
Dated: 28/11/2019

*Supdt
1/2
28/11
A.Y. 28/11/19
Subject: 28/11/19
28/11/19*



*Dismissed as withdrawn with liberty as prayed
for."*

It is an important judgment on the issue of termination/reinstatement of an outsourced employee through contractor. The above judgement be circulated to offices under your control for praying dismissal/disposal of similar case by placing reliance on the judgment dated 01.10.2019 passed by Hon'ble High Court. It is also requested to direct the concerned Deputy Secretary, Technical to host the Judgment dated 01.10.2019 on the website of concerned Power Utility. A complete copy of judgment dated 01.10.2019 are enclosed herewith for ready reference.

This issues with the approval of L.R.

DA/As above

Not received

Legal Officer,
HPU, Panchkula.

CC:-

1. The Director/Technical, HVPNL, HPGCL & UHBVN, Panchkula for hosting on website.
2. The Deputy Secretary/Technical, UHBVN, DHBVN Hisar for hosting on website.
3. The CE OP Circle, UHBVN, Panchkula & Rohtak.
4. The CE OP Circle, DHBVN, Hisar.
5. The Legal Nodal Officer, UHBVN, Panchkula.