



# HARYANA VIDYUT PRASARAN NIGAM LIMITED

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To

1. The CE/Admn., HVPNL, Panchkula.
2. The CE/Op. DHBVN, Hisar.
3. The CE/Op. DHBVN, Delhi.
4. The CE/Admn., DHBVN, Hisar.
5. The CE/Op., UHBVN, Panchkula.
6. The CE/Op. UHBVN, Rohtak.
7. The CE/Admn., UHBVN, Panchkula.
8. The CE/Admn., HPGCL, Panchkula.

Memo No: 121/LB-2 (17)

Dated: 05.12.2025

**Subject: LPA No. 182 of 2018 titled as BALWANT SINGH AND OTHERS V/s STATE OF HARYANA AND OTHERS.**

The aforesaid case came up for hearing on 05.03.2025 the Challenge in the present LPA No. 182 of 2018 is to the judgment dated 22.11.2017 whereby the learned Single Judge has dismissed the writ petition wherein the writ petitioners-appellants had challenged the decision of the Haryana Power Generation Corporation Limited whereby they had decided to give appointment to one member of only those families whose 2 acres or more land was acquired for the purpose of setting up the Rajiv Gandhi Thermal Power Plant at Khedar, District Hisar. The Hon'ble High Court vide judgment dated 05.03.2025 has dismissed the same. The operative part of the judgment dated 05.03.2025 is

*12. So far as the first issue is concerned, we are in agreement with the learned Single Judge that the State has powers to change its policy as held by the Supreme Court in BALCO Employees' Union (Regd.) vs Union of India 2002 (2) SCC 333. The learned Single Judge considered the*

*judgment passed in the case of State of Punjab vs Ram Luhaya Bagga 1998 (4) SCC 117 and BALCO Employees' Union's case (supra). It is settled law that a policy can be changed by the policy makers if it is found that the policy results in discrimination or it is unable to cater to the larger interest. It is an admitted position that the petitioners/ appellants have received the compensation for their land which have been acquired and thus, it is the concession, which was extended by the State Government for granting employment to one member of the family, that they are claiming before us.*

*13. We find that the decision taken by the Haryana Government was notified in the Gazette on 09.11.2010. The said notification laid down the revision of minimum floor rates and the policy of rehabilitation and resettlement of landowners/oustees. Clause 11 of the said notification provided for the benefits for the affected persons whose land was acquired for infrastructure projects other than those of HUDA, HSiDC and the HSAMB, which are extracted as under:-*

*"i) xxx xxx xxx*

*ii) In order to balance this situation and partially compensate the landowners in this category, it has been decided that wherever 75% or more land of a landowner in a revenue estate, subject to a minimum of two acres, is acquired for other infrastructure projects, and thereby impacting his sustenance to a considerable extent, one dependent of the land-owning family would be provided a job in the Government or its Boards/ Corporations/ State PSUs in Group 'D' and Group 'C' categories, subject to the incumbent fulfilling the qualifications prescribed for such posts;*

*iii) xxx xxx xxx*

*ii) xxx xxx xxx*

iv) While processing applications for this purpose, the applicant would first be considered for grant of a job in the Project for which the acquired land is used. In case of non-availability of adequate number of suitable jobs in the Project, the claim would be considered against vacancies available in the said department or its PSUs, failing which, the claim would be considered for employment in order department/ organizations of the Government;"

14. From perusal of the aforesaid provisions, it is apparent that as per Clause 11 of the notification, as above, acquisition of minimum 75% or more land of a landowner in a revenue estate, subject to a minimum of two acres is the criteria. Since the said criteria, as notified in the Gazette notification dated 09.11.2010, is not under challenge in any of these writ petitions, this Court would be unable to examine its validity.

15. Admittedly, in all the writ petitions, the claim is solely based on the announcement made by the Chief Minister on 19.05.2007 and the original policy dated 05.07.2007. The said announcement culminated the issuance of the Gazette notification dated 09.11.2010. Since the provisions

of the Gazette notification are not under challenge, the question of discrimination cannot be gone into.

16. Learned counsel for the petitioners/ appellants submits that once the Chief Minister stated to provide employment to all the families whose land was acquired, the same could not be limited to persons whose acquired land was 2 acres or more and the State is stopped from changing the stand.

17. The principle of estoppel or promissory estoppel does not apply to law as has been held by the Supreme Court in Civil Appeal No.45784580 of 2022 (Arising out of S.L.P.(C) Nos.3118688 of 2016 - Krishna Rai (Dead) Through LRs and others vs Banarus Hindu University Through Registrar and others.

18. No other argument is raised before us to examine, we accordingly dismiss the appeal as well as the writ petitions.

It is important judgment on the issue that appointment shall be given as per the policy of Government regarding rehabilitation and resettlement of land owners/oustees. A copy of judgment dated 05.03.2025 is enclosed herewith for ready reference.

DA/As above

*Rabin*  
ALO,  
For L.R. HPU, Panchkula

CC:-

1. The S.E./XEN/IT, UHBVN, HVPNL, HPGCL, DHBVN, Panchkula/Hisar are requested to upload the judgment dated 22.05.2025 on the website of their utility.
2. The CE/DCRTPP, HPGCL, Yamunanagar
3. The Joint Secy./Legal, HVPNL, Panchkula.
4. The Under Secy./Legal, HVPNL, Panchkula.
5. Dy. District Attorney-I, HVPNL, Panchkula.
6. Dy. District Attorney-II, HVPNL, Panchkula
7. Aman Dhiman, Legal Consultant, UHBVN, Panchkula.
8. Legal Consultant, HVPNL, Panchkula.
9. Legal Consultant, HPGCL, Panchkula
10. Law Officer, HVPNL, Panchkula.
11. Law Officer, DHBVN, Panchkula.
12. Law Officer, UHBVN, Panchkula
13. Legal Officer, UHBVN, Panchkula.
14. ALO-1 UHBVN, Panchkula.
15. ALO-2, UHBVN, Panchkula.
16. ALO-3, UHBVN, Panchkula.
17. ALO, DHBVN, Panchkula.
18. ALO, HVPNL, Panchkula.