

(2026) 02 P&H CK 1751

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 3197 Of 2026 (O&M)

Mohan Lal

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 06-02-2026

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2026) 02 P&H CK 1751

Hon'ble Judges : Harpreet Singh Brar, J

Bench : Single Bench

Advocate : Rajat Mor, Veshesh Dhaka

Final Decision : Disposed Of

Judgement

Harpreet Singh Brar, J

1. Present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of MANDAMUS directing the respondents to consider the petitioner to continue in service for all intents and purposes along with all consequential benefits for the period, for which he was not allowed to perform his duties.

2. Learned counsel for the petitioner, INTER ALIA, contends that the petitioner was appointed on contractual basis with the respondent-Nigam on 11.03.2018 and thereafter, he was promoted as Assistant Lineman. On 18.05.2020, he accompanied one Sanjay Kumar, Assistant Lineman to check the transformer fault at site on the directions of Junior Engineer concerned. However, the accompanying official died due to electrocution and an inquiry was conducted, in which four employees including the petitioner were held responsible and in view of the same, three employees were reinstated except the petitioner and he was removed from service vide order dated 26.05.2020 (Annexure P-2).

3. Feeling aggrieved, the petitioner approached this Court by way of filing CWP-4565-2021, which was disposed of vide order dated 08.07.2024 (Annexure

P-7) in view of the statement by learned counsel for the respondent-Nigam that the petitioner would be permitted to join as ALM within a period of one week from the date of passing of the said order. Pursuant to which, the petitioner rejoined on 16.07.2024. It is further submitted that during pendency of the aforesaid writ petition, the petitioner served the respondent-Nigam from 15.06.2021 to 15.09.2021.

4. Learned counsel for the petitioner refers to letter dated 19.04.2022 (Annexure P-5 colly.) and submits that Junior Engineer, who had assigned the duty on the fateful day to the petitioner, was held responsible and the petitioner was allowed to join the respondent-Nigam after proper training.

5. Learned counsel for the petitioner restricts his prayer to the extent that the petitioner will not claim the salary for the period during which he remained out of service, after his removal on 26.05.2020. However, once the petitioner has reinstated in service, he is entitled to have continuity of service. Learned counsel submits that at this stage, the petitioner would be satisfied in case his prayer regarding continuity of service is considered by the respondent-Nigam by treating the present petition as a comprehensive representation and a direction is issued to decide the same in a time bound manner, by passing a speaking order, after affording an opportunity of hearing the petitioner.

6. Notice of motion.

7. Mr. Vikrant Pamboo, Addl. AG, Haryana, who is present in the Court, accepts notice on behalf of respondent No.1-State while Mr. Sukhdeep Parmar, Advocate accepts notice on behalf of respondents No.2 to 4. They submit that the grievance raised by the petitioner in the present writ petition, by treating it as comprehensive representation, would be considered by respondent(s)-competent authority by passing a speaking order, in accordance with law.

8. In view of the submissions made by learned counsel for the parties, present writ petition is disposed of and the respondent(s)-competent authority is directed to treat this writ petition as a comprehensive representation and consider the claim of the petitioner and pass a speaking order after affording him an opportunity of hearing, within a period of three months from the date of receipt of certified copy of this order.

9. Further, the decision taken in the matter shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith by the respondent(s).

10. All the pending miscellaneous application(s), if any, shall stand disposed of.