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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**LPA-1571-2025 (O&M)**

**Date of Decision: 23<sup>rd</sup> of May, 2025**

**HARYANA VIDYUT PRASARAN NIGAM LTD. ....Appellant(s)**

**V/s.**

**ASHWANI YADAV AND OTHERS .....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**  
**HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present Mr. Hitesh Pandit, Advocate,  
for the applicant-appellants.

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**SANJEEV PRAKASH SHARMA, J. (Oral)**

1. The Haryana Vidyut Prasaran Nigam Ltd. is before the Court in Appeal against the judgment dated 05.08.2024 passed by the learned Single Bench in CWP-1567-2021.

2. The present Appeal suffers from delay of 195 days in filing and 26 days in re-filing. That apart, we have also examined the contentions raised by the learned counsel for the appellant on merits, who submits that although there was no concealment at the part of the respondent No.1 (Writ Petitioner in CWP-1567-2021), but considering the nature of allegations in the FIR registered against him, under Sections 287/340-A IPC the appellant decided to not offer him appointment.

3. We notice that respondent No.1 has been acquitted in the criminal case. It was not the allegations of committing of any offence of moral turpitude. We also notice that the allegations leveled against him were for the period when he was a contractual employee and essentially the



allegations were of dereliction of duty for which there is no finding for any departmental proceedings.

4. Be that as it may, learned Single Bench as examined the aspect from all angles and also considered the Division Bench judgment of this Court in Dinesh Kumar Vs. State of Haryana and Others; 2006(4) SCT 429. In view thereto, we find no reason to take a different view from what has been taken by the learned Single Bench in impugned order dated 05.08.2024. No case for interference is made out. The LPA is dismissed accordingly on delay and on merits as well.

5. All pending applications in this case are dismissed of accordingly.

**[SANJEEV PRAKASH SHARMA]**  
**JUDGE**

**[MEENAKSHI I. MEHTA]**  
**JUDGE**

**May 23, 2025**

*Ess Kay*

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>