

Service Law — Suspension — Dakshin Haryana Bijli Vitran Nigam Employees (Punishment and Appeal) Regulations, 2019, Regulation 5 — Proviso mandating initiation of disciplinary proceedings within 90 days of suspension — Applicability — Employee placed under suspension pursuant to arrest in criminal case (FIR No.557/30.11.2018, Sections 406, 420, 467, 468, 471, 409 IPC and Section 13(1)(d) PC Act) — Case falling under Regulation 5(1)(b) (suspension due to criminal offence under investigation/inquiry/trial) — Held, proviso after clause (c) requiring initiation of disciplinary proceedings within 90 days applies only to suspensions under clauses (a) and (c) where disciplinary proceedings are contemplated or employee engages in activities prejudicial to Nigam interests — Proviso protects against misuse of suspension power where proceedings merely contemplated — Suspension under clause (b) due to criminal proceedings not bound by 90-day limitation as conclusion of criminal case beyond departmental control — Suspension order continues until modified/revoked under Regulations 5(5) and 5(7) — Charge-sheet issued after 90 days held valid — Petition dismissed. [Paras 6-12]

Mr. Ankur Lal, Advocate for the petitioner. Ms. Rajni Gupta, Additional Advocate General, Haryana. Mr. Prince Singh, Advocate for respondent Nos.2 and 3.

- PUNJAB AND HARYANA HIGH COURT
- *Before : Justice Jagmohan Bansal.*
- (2025-1)216 PLR 773