

ITEM NO.7

COURT NO.12

SECTION XV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 20590/2017

(Arising out of impugned final judgment and order dated 17-04-2017 in DBSAW No. 1222/2007 passed by the High Court Of Judicature For Rajasthan At Jaipur)

RAMESH CHAND CHHIPA

Petitioner(s)

VERSUS

STATE OF RAJASTHAN &amp; ANR.

Respondent(s)

Date : 24-11-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE BELA M. TRIVEDI

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Petitioner(s) Mr. Sumanth Nookala, AOR

For Respondent(s) Dr. Manish Singhvi, Sr. Adv.  
Mr. Arpit Prakash, Adv.  
Mr. Vikalp Sharma, Adv.  
Mr. Milind Kumar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The special leave petition is directed against the judgment and order dated 17.04.2017 passed by the High Court of Judicature for Rajasthan Bench at Jaipur in DBSAW No. 1222 of 2007, whereby the Division Bench of the High Court has dismissed the appeal and confirmed the order passed by the Single Bench. The petitioner herein had challenged by way of the writ petition the order levying the penalty of stoppage of two increments with cumulative effect passed by the Disciplinary Authority as confirmed by the Appellate Authority of the respondents. The said writ petition was dismissed

against which the petitioner had preferred an intra-court Appeal before the Division Bench.

The bone of contention raised by the petitioner before us is that the petitioner was not served with the copy of the inquiry report before imposing the major penalty, which according to him, was required to be served under Rule 16 of CCA Rules.

In our opinion, there is no substance in the said submission. As observed by the High Court in the impugned order, no such plea was raised by the petitioner in the writ petition, and no such plea was taken before the Appellate Authority in the Statutory Appeal filed by the petitioner. We are not inclined to entertain the said plea which the petitioner had failed to raise at the earliest point of time before the Appellate Court and in the writ petition. The learned counsel for the petitioner has also failed to show any grave prejudice being caused to the petitioner. In that view of the matter, the special leave petition is dismissed.

Pending application(s), if any, shall also stand disposed of.

(JATINDER KAUR)  
SENIOR PERSONAL ASSISTANT

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)