

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1554 of 2017

(Arising out of SLP(C)No.21496 of 2015)

RAVI KUMAR SHRIVASTAVA

Appellant(s)

VERSUS

SUPERINTENDENT OF POLICE, DURG DISTRICT DURG  
(M.P) NOW. (C.G.) AND ANR.

Respondent(s)

O R D E R

Leave granted.

This appeal arises out of judgment and order dated 9<sup>th</sup> March, 2015 passed by the High Court of Chhattisgarh at Bilaspur in Writ Appeal No.489 of 2014.

In this appeal, notice was confined to the question whether the punishment of dismissal is disproportionate to the charges levelled against the appellant. The charges against the appellant are : unauthorised absence for 75 days, failure to reply to the chargesheet and use of uncalled for language, which stand proved.

Heard learned counsel for the parties.

We are of the view that considering the nature of the charges and the length of service, which the appellant has rendered, reinstatement is not called for. However, we convert the punishment of 'dismissal' to 'removal' from service which does not disqualify him from future employment.

The impugned order is modified to the extent indicated above. The appeal is disposed of. No costs.

Applications, if any, shall also stand disposed of.

.....J.  
(ADARSH KUMAR GOEL)

.....J.  
(UDAY UMESH LALIT)

New Delhi,  
February 6, 2017.

ITEM NO.2

COURT NO.11

SECTION IVA

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). 21496/2015

(Arising out of impugned final judgment and order dated 09/03/2015 in WA No. 489/2014 passed by the High Court Of Chhatisgarh At Bilaspur)

RAVI KUMAR SHRIVASTAVA

Petitioner(s)

VERSUS

SUPERINTENDENT OF POLICE, DURG DISTRICT DURG  
(M.P) NOW. (C.G.) AND ANR.

Respondent(s)

Date : 06/02/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Shantha Devi Raman,Adv.  
Mr. Garvesh Kabra,Adv.  
Mr. Arbaaz Hussain,Adv.

For Respondent(s) Mr. C. D. Singh,AAG.  
Ms. Sakshi Kakkar,Adv.

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

Leave granted.

In terms of the signed order, the appeal is allowed:

"We are of the view that considering the nature of the charges and the length of service, which the appellant has rendered, reinstatement is not called for. However, we convert the punishment of 'dismissal' to 'removal' from service which does not disqualify him from future employment.

The impugned order is modified to the extent indicated above. The appeal is disposed of. No costs.

Applications, if any, shall also stand disposed of."

(MAHABIR SINGH)  
COURT MASTER

(VEENA KHERA)  
COURT MASTER

(Signed order is placed on the file)