

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).4751-4752 of 2017
(Arising out of SLP(C)No.34765-34766 of 2014)

BIPINBHAI D. MISTRY

Appellant(s)

VERSUS

STATE OF GUJARAT & ORS

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

In view of the fact that the appellant has already been punished for the absence from duty for the period in question, the second charge in a way is sequel to the first charge.

In our view the second punishment was not, thus, called for.

Accordingly we allow these appeals and set aside the second punishment imposed upon the appellant. No costs.

Pending applications, if any, shall also stand disposed of.

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

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

New Delhi,
MARCH 31, 2017.

ITEM NO.39

COURT NO.13

SECTION IX

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).34765-34766/2014

(Arising out of impugned final judgment and order dated 07/05/2014 in SCA No. 1638/2013 21/11/2013 in SCA No. 1638/2013 07/05/2014 in LPA No. 574/2014 passed by the High Court Of Gujarat At Ahmedabad)

BIPINBHAI D. MISTRY

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS

Respondent(s)

(With appln. (s) for c/delay in filing SLP and interim relief and office report)

Date : 31/03/2017 These petitions were called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Purvish Jitendra Malkan,Adv.
Ms. Deepa G.,Adv.
Ms. Dharita Malkhan,Adv.
Mr. utkarsh Tiwari,Adv.

For Respondent(s) Mr. Kabir H.,Adv.
Ms. Hemantika Wahi,Adv.
Ms. Jesal Wahi,Adv.
Ms. Puja Singh,Adv.
Ms. Mamta Singh,Adv.

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

Delay condoned.

Leave granted.

In terms of the signed order, these appeals are allowed.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)