

ITEM NO.12                      Court 13 (Video Conferencing)                      SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 18852/2021

(Arising out of impugned final judgment and order dated 30-06-2021 in WA No. 241/2021 passed by the High Court Of Karnataka At Bengaluru)

MURTUZA HOMBAL

Petitioner(s)

VERSUS

INSPECTOR GENERAL OF POLICE, CRPF & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.147294/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.147295/2021-EXEMPTION FROM FILING O.T.)

Date : 18-11-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH  
          HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)    Mr. Rahul Agarwal, Adv.  
                                  Mr. Nishit Agrawal, AOR  
                                  Mr. Harsh Mishra, Adv.

For Respondent(s)

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

It is not in dispute that in fact the petitioner-employee admitted mis-appropriation of Rs.43,769/- and, in fact, also deposited the amount. Thereafter that, in the departmental enquiry, the charge of mis-appropriation of the amount has been held to be proved and the punishment of reduction of pay by one stage for three years has been imposed.

Learned counsel appearing on behalf of the petitioner has submitted that the punishment of withholding of three increments could not have been passed as the said is beyond the Rule. The aforesaid has no substance. The punishment which is passed is not

withholding of three increments, but reduction of pay by one stage for three years. We see no reason to interfere with the impugned judgment and order passed by the High Court.

Even, in the facts and circumstances of the case, the reduction of pay by one stage for three years cannot be said to be disproportionate. Once the charge of mis-appropriation was admitted and thereafter held to be proved, the punishment which is imposed in this case seems to be reasonable. The Special Leave petition stands dismissed.

Pending applications stand disposed of.

(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)  
BRANCH OFFICER