

ITEM NO.3

COURT NO.17

SECTION XII

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 26756/2019

(Arising out of impugned final judgment and order dated 24-09-2018 in WAMD No. 305/2014 passed by the High Court of Judicature at Madras at Madurai)

THE PRINCIPAL SECRETARY TO
GOVERNMENT HOME (POL.VI) DEPARTMENT & ORS.

Petitioner(s)

VERSUS

S. KARIKALAN

Respondent(s)

(FOR ADMISSION and I.R. IA No. 159401/2019 - CONDONATION OF DELAY IN FILING IA No. 159402/2019 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS IA No. 159403/2019 - EXEMPTION FROM FILING O.T.)

Date : 07-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. M. Yogesh Kanna, AOR

For Respondent(s)

Mr. K. Paari Vendhan, AOR

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

Delay condoned.

Leave granted.

The appeal stands disposed of in terms of signed order.

(NEETA SAPRA)
SR. PERSONAL ASSISTANT

(Signed order is placed on the file)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 57 OF 2020

Arising Out of SPECIAL LEAVE PETITION (CIVIL) 360/2020 @ Diary
No(s). 26756/2019

THE PRINCIPAL SECRETARY TO
GOVERNMENT HOME (POL.VI) DEPARTMENT & ORS.

Appellant(s)

VERSUS

S. KARIKALAN

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

We see no reason to interfere with the judgment of the High Court to convert the punishment of the Respondent - employee from termination to compulsory retirement. We however set aside the direction that the order would take effect from the date of the impugned judgment, and be provided with benefits at par with his immediate next junior, including promotional avenues.

We direct that the compulsory retirement of the Respondent - Employee will be effective from the order dated 20.10.2007 when his services were terminated. As a consequence, the Respondent - Employee will not be entitled to back wages, or promotion thereafter. The Respondent - Employee will however be entitled to pension and retiral benefits.

The Appeal stands disposed of in the aforesaid terms.

Pending applications, if any, also stand disposed of.

.....J.
[INDU MALHOTRA]

.....J.
[AJAY RASTOGI]

NEW DELHI;
JANUARY 07, 2020