

ITEM NO.50

COURT NO.7

SECTION XVI

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) Nos.27595-27596/2019

(Arising out of impugned final judgment and order dated 06-01-2017 in WP No. 5763/2015 21-06-2019 in FMA No. 616/2017 passed by the High Court at Calcutta)

DR. ARDHENDU SEKHAR KHANRA

Petitioner(s)

VERSUS

THE DIRECTOR, NATIONAL CHEMICAL LABORATORY & ANR.

Respondent(s)

Date : 20-01-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Petitioner-in-person

For Respondent(s)

Mr. Jayesh K. Unnikrishnan, AOR
Mr. Vijay Pratap Singh, Adv.

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

While issuing notice on 15 November 2019, the following order was passed by this Court:

"Permission to appear and argue in person granted.

Exemption from filing certified copy of the impugned judgment granted.

Delay condoned.

The Central Administrative Tribunal by its order dated 3 January 1990 directed the appellate

authority to dispose of the appeal filed by the petitioner and to pass fresh orders.

The grievance of the petitioner, who appears in person, is that no steps were taken by the respondent-employer in compliance with the order passed by the Tribunal as a result of which he was constrained to file a writ petition under Article 226 of the Constitution.

We are of the view that it would be necessary for the Court to be apprised of the steps which were taken by the respondents after the order of the Tribunal referred to above.

Issue notice, returnable in six weeks."

In pursuance of the issuance of notice by this Court, the respondents have entered appearance. Mr. Jayesh K. Unnikrishnan, learned counsel appearing on behalf of the respondents has drawn the attention of this Court to the order dated 23 June 2017 of the Division Bench of the Calcutta High Court. The order of the High Court indicates that after the order of the Central Administrative Tribunal¹ dated 3 January 1990 in OA No 520 of 1987, the appellate authority passed an order on 20 August 1990 confirming the penalty of removal from service.

The petitioner filed another OA² which was dismissed by the Mumbai Bench of the CAT on 9 October 1994. A Special Leave Petition challenging the decision in the above OA was dismissed by this Court on 23 September 1996. Thereafter, another OA³ was filed before the tribunal, which was dismissed on 15 December 2003 and a review application filed thereafter was also dismissed. Thereafter, another OA⁴ was dismissed by the tribunal on 23 February 2012. In that view of the

1 CAT

2 OA No 160 of 1991

3OA No 42 of 1997

4OA No 173 of 2012

matter, the query which was addressed in the order of this Court dated 15 November 2019, stands sufficiently answered. We see no reason to interfere with the impugned judgment of the High Court under Article 136 of the Constitution.

The Special Leave Petitions are accordingly dismissed.

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

(Chetan Kumar)
A.R. -cum-P.S.

(Saroj Kumari Gaur)
Court Master