

ITEM NO.17

COURT NO.6

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.29705/2019

(Arising out of impugned final judgment and order dated 05-02-2018 in LPA No.472/2012 passed by the High Court of Judicature at Patna)

STATE OF BIHAR & ORS.

Petitioner(s)

VERSUS

CHANDAN PRASAD SINGH

Respondent(s)

(FOR ADMISSION and I.R. and IA No.133279/2019-CONDONATION OF DELAY IN FILING and IA No.133285/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.133282/2019-EXEMPTION FROM FILING O.T.)

Date : 06-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s)

Mr. Abhinav Mukerji, AOR

For Respondent(s)

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

We have heard Mr. Abhinav Mukerji, learned counsel appearing for the petitioner-State of Bihar.

Delay condoned.

Since the respondent has already superannuated on 13.04.2011, we are not inclined to interfere with the findings of the High Court setting aside the punishment of dismissal imposed upon the respondent on the ground that the notice of disagreement by the disciplinary authority was not served upon the delinquent respondent.

Issue notice limited to the question of back wages i.e.50% of the salary directed to be paid to the respondent for the period from 2004 to 2011 (date of superannuation).

There shall be limited stay of the impugned order only to the extent of 50% salary, as ordered.

(POOJA ARORA)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER