

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 (Civil) No(s).4891/2004

(From the judgement and order dated 20/01/2004 in CMWP No. 54987/2003  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

PYAREY LAL

Petitioner

(s)

VERSUS

UNION OF INDIA & ORS.

Respondent

(s)

(With appln(s) for permission to file rejoinder affidavit and with  
prayer for interim relief )

Date: 28/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s) Mr. R.G.Padia, Sr.Adv.

Mr. Purnima Bhat Kak, Adv.

For Respondent(s) Mr. Harish Chandra, Sr.Adv.

Mr. Hemant Sharma, Adv.

Mr. B.V. Balaram Das,Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the parties.

We are not persuaded to interfere in this Special Leave Petition, since we find that the charge sheet was submitted within the period of limitation prescribed by Rule 9.

Counsel submitted that there has been delay in concluding the proceeding and there is no explanation for the delay. He also wishes to urge other submissions which have a bearing on the merit of the case.

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These are matters which must be agitated by the Petitioner before the appropriate forum if a finding is recorded against him in the departmental proceeding. The departmental proceeding has not yet been concluded and therefore, it is premature to express any

opinion on merits.

This Special Leave Petition is, therefore, rejected  
without prejudice to the rights and contentions of the Petitioner  
on the merits of his case in case he is found guilty in the  
departmental proceeding.

(SUKHBIR PAUL KAUR)  
COURT MASTER

(VIJAY DHAWAN)  
COURT MASTER