

ITEM NO.110

COURT NO.5

SECTION XIV

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

Civil Appeal No(s). 837/2008

RAJENDRA PRASAD PANDEY

Appellant(s)

VERSUS

THE PRINCIPAL SECY (HOME) GOVT. & ORS.

Respondent(s)

(with interim relief and office report)

Date : 20/08/2015 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE R. BANUMATHI

For Appellant(s) Mrs. Santosh Singh, Adv.

For Respondent(s) Ms. Vibha Dutta Makhija, Sr. Adv.
Ms. Rekha Pandey, Adv.
Ms. Sadhna Sandhu, Adv.
Ms. Sushma Suri, AOR
Mr. B.V. Balram Das, Adv.

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

The appeal is allowed in terms of the signed order.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.837 OF 2008

Rajendra Prasad Pandey ... Appellant

VERSUS

The Principal Secy (Home) Govt. & Ors. ... Respondents

O R D E R

In this appeal, by special leave, the assail is to the order dated 21.09.2004 passed by the High Court of Delhi at New Delhi in WP (C) No.15339 of 2004.

On a perusal of the order, we find that the Division Bench of the High Court has affirmed the order passed by the Central Administrative Tribunal, Principal Bench in OA No.1246 of 2001 by quoting a singular paragraph and concurring with the same. In our considered opinion, the High Court has not applied its independent mind and the order is absolutely bereft of reason.

In view of the aforesaid analysis, we allow the appeal, set aside the order passed by the High Court and remit the matter to the High Court to deal with the controversy in accordance with law. There shall be no order as to costs.

.....,J.
(Dipak Misra)

.....,J.
(R. Banumathi)

New Delhi;
August 20, 2015.