

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9026/2006

(From the judgement and order dated 07/12/2005 in WP No. 6141/2005  
of The HIGH COURT OF BOMBAY AT NAGPUR)

SURENDRA

Petitioner(s)

VERSUS

C.E.O., ZILA PARISHAD WARDA & ORS.

Respondent(s)

(With prayer for interim relief and office report)  
(FOR FINAL DISPOSAL)

Date: 07/02/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE TARUN CHATTERJEE

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s) Ms. Rekha Agarwal, Adv.  
Mr. Ravindra Kaur Batra, Adv.  
Mr. Pankaj Kumar Singh, Adv.  
Mr. J.P.N. Gupta, Adv.  
Mr. K.L. Janjani, Adv.

For Respondent(s) Mr. Satyajit A. Desai, Adv.  
Mrs. Anagha S. Desai, Adv.  
Mr. Amol N. Suryawanshi, Adv.

UPON hearing counsel the Court made the following  
ORDER

This special leave petition is directed against the order dated 7.12.2005 passed by the High Court of Judicature at Bombay, Nagpur Bench, Nagpur in Writ Petition No.6141/2005. A writ application was moved by the petitioner challenging the order of compulsory retirement passed against him. The High Court as well as the authorities had rejected his claim that the compulsory retirement order was not legal and valid.

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On 4/7/2006, this court while issuing notice to the respondents ordered stay of recovery of Rs.65,134/- from the petitioner's retirement dues.

After hearing learned counsel for the parties, we are not in a position to find any infirmity in the orders passed by the High Court as well as the authorities. However, considering the facts and circumstances of the case, we are of the view that the compulsory retirement order be modified to the extent that the amount of Rs.65,134/-, which has been directed to be recovered from the petitioner's retirement dues, be deleted.

With the above observation, the special leave petition is disposed of accordingly.

( A.D. Sharma )  
Court Master

( Phoolan Wati Arora )  
Court Master