

ITEM NO.202

COURT NO.10

SECTION XI

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).24048/2003

(From the judgement and order dated 21/11/2003 in SA No. 1170/2003 of The  
HIGH COURT OF JUDICATURE AT ALLAHABAD)

OM PRAKASH

Petitioner(s)

VERSUS

VIDYA RAM & ORS.

Respondent(s)

(With prayer for interim relief )  
(For final disposal)

WITH  
S.L.P.(C) NO. 8869 of 2004  
(With appln.(s) for permission to submit additional document(s) and exemption from filing O.T.)  
(With prayer for interim relief and office report)  
(For final disposal)

Date: 13/05/2005 These Petitions were called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner(s)  
Mr. Jagjit Singh Chhabra, Adv.  
Mr.Gaurav Bhargava, Adv.

For Respondent(s)  
Mr.Rohan Thawani, Adv.  
Mr. Prashant Kumar, Adv.  
Mr.Joseph Pookkett, Adv.  
  
Mr.Dinesh Dwivedi, Sr.Adv.

Mr. Kamlendra Mishra, Adv  
Mr.Rajeev Kumar Dubey, Adv.  
Ms.Rashmi Singh, Adv.

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

Heard learned counsel for the parties.

The first Special Leave Petition (No.24048/2003) has been filed by the petitioner

against his transfer and having not succeeded in the High Court has approached this Court. It is

reported that the petitioner has now joined at the place of transfer although for late joining, a

departmental inquiry was initiated against him which has now been completed.

The second Special Leave Petition ( No.8869/2004) has been filed by the petitioner

against the order placing him under suspension pending departmental inquiry. The subsequent

developments have been brought to our notice by the counsel appearing on either side. Now,

the departmental inquiry has been completed and the petitioner has also been imposed with

punishment depriving him of salary for the period of his alleged absence.

In these circumstances, we do not consider it necessary to proceed in these

petitions filed against transfer and suspension.

The Special Leave Petitions are disposed of.

It will be open to the petitioner to avail appropriate remedy against the final order

imposing punishment on him on conclusion of the departmental inquiry. Disposal of these

petitions shall not in any manner prejudice his right or grounds and contentions available to him

in law.

( Satish K. Yadav )

( Phoolan Wati Arora )

Court Master

Court Master