

ITEM NO.14

COURT NO.8

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No. 8045/2026

[Arising out of impugned final judgment and order dated 02-08-2025 in WPCT No. 31/2025 passed by the High Court of Calcutta Circuit Bench at Port Blair]

YASHVI PAREKH

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 70779/2026 - CONDONATION OF DELAY IN FILING

IA No. 70780/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 02-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Gaurav Ghosh, Adv.
Mr. M. P. Srivignesh, AOR
Ms. Shumaila Altaf, Adv.
Mr. Digvejender Sharma, Adv.
Mr. Shaunak Dutta, Adv.
Ms. Bushra Mohammad, Adv.

For Respondent(s) :

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

1. Delay condoned.
2. We see no reason to interfere with the impugned judgment and order of dated 2nd August, 2025 of the High Court at Calcutta, Circuit Bench at Port Blair. In our considered opinion, the Division Bench has correctly interpreted Section 19(4) of the Administrative Tribunals Act, 1985. We also hold that the Circuit Bench of the Central Administrative Tribunal, Kolkata Bench, Kolkata¹ was entirely wrong, based on its reading of the said provision, in holding that once

the statutory appeal was not considered and disposed of by the Appellate Authority, the entire disciplinary proceedings initiated against the petitioner commencing with the charge-sheet and culminating in the order of dismissal from service stood abated.

3. The special leave petition is, accordingly, dismissed.

4. However, having regard to the fact that the matter has travelled to the High Court from the Tribunal on more occasion than one and also that the High Court has again remanded the matter to the Tribunal for a fresh decision on the merits of the Original Application² of the petitioner, it would be desirable if the proceedings relating thereto are concluded in accordance with law as early as possible but positively by 31st October, 2026.

5. Pending interlocutory application(s), if any, shall stand disposed of.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)