



The learned Single Judge dismissed the writ petition filed by the petitioner and held that the Tribunal had rightly exercised the jurisdiction vested in it and there were valid grounds for declining approval to the employer's action to terminate the services of the respondent. The Division Bench agreed with the learned Single Judge and dismissed the special appeal preferred by the petitioner.

We have heard learned counsel for the parties and carefully perused the record.

In our view, the reasons assigned by the Tribunal for declining approval to the petitioner's action to terminate the services of the respondent by way of punishment are legally correct and the conclusion recorded by it did not suffer from any error of law apparent on the face of record which could justify interference by the High Court under Article 226 of the Constitution of India. It is not in dispute that inquiry officer had found the respondent partially guilty of one

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charge. The disciplinary authority did not record reasons for dis-agreement with the inquiry officer but dismissed the respondent by assuming that all the charges have been found proved in the domestic inquiry. This was contrary to the law laid down by this Court in Punjab National Bank v. Kunj Behari Misra (1998) 7 SCC 84, Yoginath D. Bagde v. State of Maharashtra (1999) 7 SCC 739 and SBI v. Arvind K. Shukla (2004) 13 SC 797. Therefore, the learned Single Judge and the Division Bench of the High Court did not commit any error by refusing to interfere with the order passed by the Tribunal.

For the reason stated above, the special leave petition is dismissed.

(A.D. Sharma)  
Court Master

( Phoolan Wati Arora )  
Court Master