

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).12893/2012

(From the judgement and order dated 02/02/2012 in CMWP No.2069/2011 of The HIGH COURT OF ALLAHABAD LUCKNOW BENCH AT LUCKNOW)

KAILASH NATH KHARWAR Petitioner(s)

VERSUS

STATE OF U.P. & ORS. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment,exemption from filing O.T. and prayer for interim relief)

Date: 24/04/2012 This Petition was called on in mentioning Board today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Yatish Mohan, Adv.
Mr. E.C. Vidya Sagar,Adv.

For Respondent(s)

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

Taken on Board.

This petition is directed against the order dated 2/2/2012 passed by the Division Bench of the Allahabad High Court whereby the writ petition filed by the petitioner for quashing his suspension was disposed of with certain directions.

..2/-

: 2 :

We have heard learned counsel and are convinced that the impugned order does not suffer from any legal infirmity warranting interference under Article 136 of the Constitution.

The special leave petition is accordingly dismissed.

While dismissing the special leave petition, we consider it absolutely imperative to make it clear that the High Court was not justified in making observations

on the merits of the allegations levelled against the petitioner and the enquiry officer shall be free to record his findings without being influenced by those observations.

The Registry is directed to send copies of this order to respondent No. 1 and 2 by FAX.

[Charanjeet Kaur]
Court Master

[Phoolan Wati Arora]
Court Master