

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

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 17 OF 2001

UNION OF INDIA & ORS.

Appellant (s)

VERSUS

SHER SINGH

Respondent(s)

Date: 14/12/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Appellant(s)

Mr. A. Sharan, ASG

Ms. Rekha Pandey, Adv.

Ms. Sushma Suri, Adv.

For Respondent(s)

Mr. Anil Kr. Mishra, Adv. for

Mrs. Nandini Gore, Adv.

UPON hearing counsel the Court made the following

O R D E R

The Appeal is disposed of in terms of the signed order.

(Rajesh Dham)

Court Master

(Om Prakash)

Court Master

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 17 OF 2001

UNION OF INDIA & ORS.
Plaintiff (s)

Appellant

VERSUS

SHER SINGH
Respondent (s)

Respondent

O R D E R

Heard the parties.

The respondent, who was Head Constable, upon the conclusion of

departmental proceeding, was dismissed from service and the said order was

confirmed by the higher authorities. Thereafter, when the matter was taken

to the High Court in Writ, finding on merits has been confirmed, but the

punishment of dismissal imposed against the respondent has been modified

and a direction has been given that three increments of the respondent shall be stopped without cumulative effect.

It appears that after the passing of the impugned order, this Court, by order dated 03.01.2001, directed that operation of the impugned order shall remain stayed.

In the facts and circumstances of the case, we are of the view that the respondent should get only 50% of the remuneration for the period he has not worked. Learned counsel appearing on behalf of the respondent stated that his client is agreeable to the same.

Accordingly, while confirming the impugned order, we direct that the respondent shall be paid only 50% of the remuneration for the period he has not worked.

The Appeal is, accordingly, disposed of.

.....J.

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(B.N. AGRAWAL)

.....J.

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(P.P. NAOLEKAR)

NEW DELHI ;

DECEMBER 14, 2006.