

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO 4624 OF 2005

Radha Tiwari

... Appellant

Versus

The State of Uttar Pradesh & Ors

... Respondent

ORDER

- 1 Admittedly, the appellant who was recruited as a probationary Judicial Officer in the U P Nyayik Seva was not confirmed until the date of termination from service. There is no provision for deemed confirmation.
- 2 Though Departmental Enquiries were initiated against the appellant, the High Court, in a considered view, decided not to proceed with the enquiries and to discharge the services of the appellant by an order of discharge simpliciter. Such a course of action was open to the respondents.
- 3 On these facts, bearing in mind the settled position in law, the judgment of the Division Bench of the High Court of Judicature at Allahabad dismissing the Writ Petition under Article 226 of the Constitution cannot be interfered with.
- 4 We therefore, decline to entertain the Appeal. The Appeal is accordingly,

dismissed.

5 Pending applications, if any, stand disposed of.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Pamidighantam Sri Narasimha]

.....J.
[Manoj Misra]

New Delhi;
September 13, 2023
GKA

ITEM NO.104

COURT NO.1

SECTION III-A

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

Civil Appeal No(s). 4624/2005

RADHA TIWARI

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS

Respondent(s)

Date : 13-09-2023 This appeal was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE MANOJ MISRA

For Appellant(s) Mr. Manoj Goel, Adv.
Mr. Shuvodeep Roy, AOR

For Respondent(s) Ms. Garima Prasad, Sr. A.A.G.
Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Manoj Kumar Sharma, Adv.
Mr. Suraj Singh, Adv.
Mr. Bhuwan Chandra, Adv.

Mr. Yashvardhan, Adv.
Mr. Jagjit Singh Chhabra, AOR

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

- 1 The appeal is dismissed in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(RENU BALA GAMBHIR)
COURT MASTER (NSH)

(Signed order is placed on the file)