

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 6634-6635 OF 2010

LAXMAN SINGH

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

Notice was issued in these appeals on 21.08.2006, only on the limited point as to whether the punishment can be converted from compulsory retirement to voluntary retirement. Notice dated 21.08.2006 reads as follows :-

"Heard learned counsel for the petitioner for sometime. The challenge in this SLP is the order passed by the respondent compulsorily retiring the petitioner from service. The Tribunal and the High Court dismissed the petitions filed by the petitioner herein. His review was also dismissed. However, at the time of hearing, the learned counsel for the petitioner states that instead of compulsorily retiring the petitioner from service, he may be permitted to voluntarily retire from service. Therefore, on this short ground, we order notice to the respondents, returnable

within four weeks. In the meanwhile, learned counsel for the petitioner will file an affidavit of his client expressing his willingness to voluntarily retire from service."

We have heard Mr. Dushyant Parashar, learned counsel appearing for the appellant and Mrs. Kiran Suri, learned senior counsel appearing for the respondents and have gone through the records.

Having regard to the peculiar facts and circumstances of the case, more particularly, the shocking contents of the letter, which is relied upon by the appellant, which appears to be the root cause of the incident in question, we find it appropriate to covert the punishment from 'compulsory retirement' to 'voluntary retirement'. Ordered accordingly.

The appeals are disposed of accordingly.

Pending Interlocutory Applications, if any, stand disposed of.

.....J.
[MOHAN M. SHANTANAGOUDAR]

.....J.
[NAVIN SINHA]

New Delhi;
April 04, 2018.

ITEM NO.113

IN COURT NO.5

SECTION XV

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). 6634-6635/2010

LAXMAN SINGH

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 04-04-2018 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE NAVIN SINHA

For Appellant(s) Mr. Dushyant Parashar, Adv.
Mr. Surya Kant, AOR

For Respondent(s) Ms. Kiran Suri, Sr. Adv.
Ms. Rekha Pandey, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Arvind Kumar Sharma, Adv.
Mr. G. S. Makkar, Adv.
Mr. V. K. Verma, AOR

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

The appeals are disposed of in terms of the signed order.

Pending Interlocutory Applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU DIWAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)