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SLP(C)No. 15567 OF 2003

ITEM No.8

Court No.11

SECTION IVA

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.15567/2003

(From the judgement and order dated 18/07/2003 in WP 1262/00
of The HIGH COURT OF M.P AT GWALIOR)

SURESH CHANDRA

Petitioner (s)

VERSUS

STATE OF M.P. & ANR.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing O.T.)

Date : 05/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s) Mr. S.K. Gambhir, Sr. Adv.
Mr. A.K. Sanghi, Adv.

For Respondent (s)

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

Heard learned counsel for the petitioner at some length.

We, however, find no illegality in the view taken by the High Court that on the order passed by the Disciplinary Authority, after expiry of the time fixed by the Tribunal for completion of the inquiry would be not be rendered void.

It is submitted by the learned counsel for the petitioner that in view of the provision made by the Tribunal the an inquiry should be completed within the time fixed and not beyond it unless the time was specifically extended by the Tribunal, the petitioner

did not join the inquiry after the expiry of the said period since the time was not extended by the Respondents . In these circumstances, the proceedings went ex-parte against the petitioner.

Let a limited notice be issued as to why the inquiry may not be resumed afresh from the stage, the time allowed by the Tribunal for the conclusion of the inquiry had expired.

(Sarojbala)

PA to Addl.Registrar

(Kanwal Singh)

Court Master