

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10397/2010

PRATIBHA APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ORS. RESPONDENT(S)

O R D E R

The appellant assailed the concurrent findings of the Tribunal and the High Court opining that the appellant being on extended period of probation, the impugned order dated 03.06.2005 of termination cannot be doubted.

On hearing learned counsel for the parties and looking to the material on record, it is quite obvious that though the initial period was of two years probation, an extension of one year probation period was granted to the appellant which itself would show that the respondents were not fully satisfied with the performance of the appellant. Ultimately instead of issuing any order of appointment, the termination order dated 03.06.2005 was issued.

That being the position, it cannot be contended on behalf of the appellant that termination simpliciter would amount to order of punishment as per Rule 5 of the Maharashtra Civil Services (Discipline and Appeal)

Rules, 1979 and the procedure envisaged therein would have to apply.

In view of the aforesaid, we find no ground to interfere with the impugned judgments.

The appeal is accordingly, dismissed.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[M.M. SUNDRESH]

NEW DELHI;
MARCH 08, 2022

ITEM NO.102

COURT NO.6

SECTION IX

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). 10397/2010

PRATIBHA

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

Date : 08-03-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Ashutosh Dubey, Adv.
 Mr. Ankit P Shahi, Adv.
 Mr. Abhishek Chauhan, Adv.
 Mr. P. N. Puri, AOR

For Respondent(s) Mr. Sachin Patil, AOR

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

The appeal is dismissed in terms of the
signed order.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

[Signed order is placed on the file]