

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.4615 OF 2010

SICOM LIMITED
APPELLANT

.....APP

VERSUS

VASANT MOTIRAM SHEGOKAR & ANR.
RESPONDENTS

.....RESP

WITH

CIVIL APPEAL No.4621 OF 2010

O R D E R

CIVIL APPEAL No.4615 OF 2010

Heard learned counsel for the parties.

It cannot be disputed, that Rule 22 of the Sicom Employees Conduct and Discipline Rules, which is being extracted hereunder, has a mandatory character:

"No order imposing on an employee any of the penalties other than censure shall be passed by the Competent Authority without the charge or charges being communicated to him in writing and without his having been given a reasonable opportunity of defending himself against such charge or charges and of showing cause against action proposed to be taken against him."

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Satish Kumar Yadav
Date: 2014.09.12
16:34:08 IST
Reason:

It also cannot be disputed, that the services of the

respondent came to be dispensed with on account of an alleged delinquency.

2

Since the appellant did not follow the procedure contemplated under Rule 22 of the Sicom Employees Conduct and Discipline Rules extracted hereinabove, we are of the view that

there is no infirmity in the impugned order passed by the High Court.

The appeal is accordingly dismissed.

CIVIL APPEAL No.4621 OF 2010

Having examined the arrangement made by the High Court in the impugned order in respect of back wages payable to the appellant, we are satisfied that no infirmity can be found therein.

In view of the above, the instant appeal is dismissed.

.....J.
(JAGDISH SINGH KHEHAR)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI;
SEPTEMBER 10, 2014.

3

ITEM NO.101

COURT NO.6

SECTION IX

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

Civil Appeal No(s).4615/2010

SICOM LIMITED

Appellant(s)

VERSUS

VASANT MOTIRAM SHEGOKAR & ANR.

Respondent(s)

(With office report)
WITH C.A. No. 4621/2010

Date : 10/09/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr. Jay Savla, Adv.
In C.A.4615/10 Ms.Renuka Sahu, Adv.

In C.A.4621/10 Mr. S. N. Bhat, Adv.

For Respondent(s)
In C.A.4615/10 Mr. S. N. Bhat, Adv.

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

CIVIL APPEAL No.4615 OF 2010

The appeal is dismissed in terms of the signed order.

CIVIL APPEAL No.4621 OF 2010

The appeal is dismissed in terms of the signed order.

(SATISH KUMAR YADAV)
COURT MASTER

(SAROJ SAINI)
COURT MASTER

(Signed order is placed on the file)