

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(s).21883/2008

(From the judgement and order dated 05/12/2007 in WP No.3635/2007 of The HIGH COURT OF BOMBAY AT NAGPUR)

PANDHARINATH

Petitioner(s)

VERSUS

HINDUSTAN PETROLEUM CORP.LTD.& ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP and prayer for interim relief and office report)

Date: 13/12/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mr. Manish Pitale,Adv.  
Mr. Wasi Haider,Adv.  
For Mr. Chander Shekhar Ashri,Adv.

For Respondent(s) Mr. Shyam Divan,Sr.Adv.  
Mr. Sanjay Kapur,Adv.  
Mr. Anmol Chandan,Adv.  
Ms. Priyanka Das,Adv.  
Ms. Lekha Vishwanath,Adv.

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

Leave granted.  
The appeal is disposed of as allowed with no order as to costs.

| (Sarita Purohit) | | (Sneh Bala Mehra) |  
| Court Master | | Court Master |

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.11132 OF 2013  
(Arising out of SLP(C)No.21883 of 2008)

PANDHARINATH

...APPELLANT

VS.

O R D E R

Leave granted.

Heard the learned counsel for the parties and perused the impugned order as well as the order of the Appellate Authority imposing penalty upon the appellant.

Looking at the peculiar facts of the case, the impugned order passed by the High Court as well as the order passed by the Appellate Authority confirming the order of discharge from service, are set aside and the matter is remitted to the Appellate Authority, i.e., the Director, Marketing, for reconsideration so as to see whether the punishment of discharge from service imposed upon the appellant was justified and if not, he might pass any other punishment upon the appellant-employee.

..2/-

.2.

We make it clear that the appellant shall not be entitled to any salary or wages for the period during which he had not performed his service.

The appeal is disposed of as allowed with no order as to costs.

.....J.  
[ANIL R. DAVE]

.....J.  
[DIPAK MISRA]

New Delhi;  
13th December, 2013.