

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).23380/2009

(From the judgement and order dated 19/05/2009 in WP No. 6665/2003 of the HIGH COURT OF ORISSA AT CUTTACK)

ORISSA DRUGS & CHEMICALS LD.& ANR. Petitioner(s)

VERSUS

BIRENDRA KUMAR MISHRA & ORS. Respondent(s)

(With prayer for interim relief)

Date: 17/08/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Ms. Meera Mathur, Adv.

For Respondent(s) Ms. Punam Kumari, Adv.

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

Heard Ms. Meera Mathur, counsel appearing for the petitioner, and Ms. Punam Kumari, counsel for the respondent No.1.

The High Court has interfered and set aside the order of termination of service of respondent No.1 holding that respondent No.3, who was appointed as Managing Director In-charge of the company, following the suspension of its Managing Director, was not competent and authorized to initiate the disciplinary proceedings against respondent No.1, frame charges against him and eventually2/-

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to pass the order of his termination from service for the reason that he was both junior and lower in rank to respondent No.1.

On hearing counsel for the parties and on going through the materials on record, we find no infirmity in the order of the High Court and see no reason to interfere in the matter.

The Special Leave Petition is, accordingly, dismissed.

(N.S.K. Kamesh)
Court Master

(S.S.R. Krishna)
Court Master