

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.1138 OF 2010
(@ SLP(C)No.6298/2008)

INDERJIT SINGH

... APPELLANT(S)

VERSUS

STATE OF PUNJAB TR.COLLECTOR & ANR.

... RESPONDENT(S)

O R D E R

Leave granted. Delay condoned.

The appellant was an *Ahlmad* in the Court of Civil Judge (Junior Division), at Barnala in Punjab. On 14.06.1996 at about 7.30 p.m., when some of the Judicial Officers made a surprise inspection of the Court premises, they found the appellant, one Chowkidar and a constable at the premises. They found that these persons were drinking alcohol within the court premises. The matter was reported to the District Judge and thereafter an inquiry was conducted and the appellant was found guilty and his services were terminated. The appellant challenged the same by way of Writ Petition before the High Court and the same was dismissed. Aggrieved by the same, he is before this Court by way of this appeal.

Heard learned amicus curiae and learned counsel for the State.

It is pointed out by learned counsel for the appellant that one of the persons, who was on duty at that time along with the appellant herein, though found guilty in the inquiry, has filed an appeal before this Court and this Court allowed his appeal

and he was ordered to be re-instated in service vide order dated 4th February 2002 in Civil Appeal No.943 of 2002. The present appellant was not on duty on that day but he was found at the court premises. Though we deprecate the conduct shown by the appellant, but having regard to the fact that he has to maintain his family and also for the reason that his colleague was reinstated in service, we direct that the appellant be reinstated in service. We make it clear that he is not entitled to any back-wages or any other service benefits. He is directed to be reinstated within a period of one month from this date and his previous service may be reckoned only for the purpose of pension.

The appeal is disposed of accordingly. No costs.



.....CJI
(K.G. BALAKRISHNAN)

.....J.
(V.S.SIRPURKAR)

JUDGMENT

.....J.
(DEEPAK VERMA)

NEW DELHI;
29TH JANUARY, 2010