



2025 INSC 240

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2025
(arising out of SLP(C) No.4978 of 2021)

N.K. TANEJA, VICE CHANCELLOR, APPELLANT(S)
CHAUDHARY CHARAN SINGH UNIVERSITY,
MEERUT & ANR.

VERSUS

MAHARAJ SINGH RESPONDENT(S)

with

CIVIL APPEAL NO. _____ OF 2025
(arising out of SLP(C) No. _____ of 2025)
(@ Diary No.7063/2021)

O R D E R

Civil Appeal @ SLP @ Diary No.7063/2021

Delay condoned.

Leave granted.

Respondent No. 1, Maharaj Singh, though served, has not appeared. He is, thus, set *ex parte*. The facts of the case are as follows:

- o Respondent No. 1, Maharaj Singh, who was working as a Reader in the Psychology Department of the appellant, Chaudhary Charan Singh University¹, Meerut, Uttar Pradesh, since 14.11.1990, applied for Extra Ordinary Leave², that is, leave without pay, on 25.08.2001.

¹ For short, "University."

² For short, "EOL."

- o On 25.11.2001, he made another application for a grant/extension of EOL. Leave was granted and extended up to 31.05.2002.
- o Belatedly, respondent No. 1, Maharaj Singh, on 01.08.2003, again applied for EOL by seeking extension up to 26.12.2003. No orders were passed on the said application; leave was not extended.
- o On 22.08.2005, the University sent a show-cause notice to respondent no. 1, Maharaj Singh, asking him as to why the matter should not be referred to the Executive Council, as respondent no. 1, Maharaj Singh, had not joined his post and was not undertaking his duties as a Reader in the University.
- o *Vide* another letter dated 22.09.2005, the University addressed the Head of the Department (Psychology), stating that respondent No. 1, Maharaj Singh, had been continuously absent since 25.08.2000 and that there was no provision to further extend the leave. Even thereafter, respondent No. 1, Maharaj Singh, did not join duty nor did he send any request letter stating that he wanted to join duty.
- o On the other hand, he wrote another letter on 09.02.2006, seeking an extension of leave up to 24.08.2006. He also prayed for a grant of a promotion.
- o In the Executive Council's meeting held on 04.07.2007, a resolution was passed terminating the services of respondent No. 1, Maharaj Singh.

- o On or about 17.08.2009, while respondent No. 1, Maharaj Singh was in the United States of America, he challenged the order of his termination before the Chancellor of the University, that is, the Governor, State of Uttar Pradesh, by way of a representation. This representation came to be dismissed on 17.08.2009.
- o Aggrieved, respondent No. 1, Maharaj Singh, filed Writ-A No. 2450/2010 before the High Court of Judicature at Allahabad, which was allowed by the impugned judgment dated 22.09.2017.
- o The impugned judgment primarily records that the University had not followed the applicable statute and had not conducted an enquiry and, therefore, termination of the services of respondent No. 1, Maharaj Singh, was contrary to law. Accordingly, the resolution dated 04.07.2007 passed by the Executive Council and the order passed by the Chancellor of the University, that is, the Governor, State of Uttar Pradesh, dated 17.08.2009, were set aside.

Assuming that there was a lapse on the part of the University in terminating the services of respondent no. 1, Maharaj Singh, on the ground that he had abandoned his services, we feel that the matter should have been remitted to the authorities of the University for passing appropriate fresh orders as per law; if necessary, after holding a disciplinary enquiry. The facts of the case are writ large and show that respondent no. 1, Maharaj Singh,

failed to report for duty and was travelling and moving around abroad. Even today, he has not appeared before this Court, despite service of notice. Later on, he pursued contempt proceedings before the High Court, on account of non-compliance with its order.

During the course of the hearing, it was stated that respondent no. 1, Maharaj Singh, has been paid his dues under the Contributory Provident Fund³ Scheme, including the share of the University.

We are not even made aware as to whether respondent no. 1, Maharaj Singh, took up employment anywhere outside India after he had taken EOL way back on 25.08.2000. In case respondent no. 1, Maharaj Singh, has taken up employment outside India and is working or has set up a business outside India, he clearly abandoned his services with the University. We are informed that the High Court had directed respondent no. 1, Maharaj Singh, to file an affidavit in this respect, which was not filed.

Keeping in view the aforesaid circumstances, we feel that the matter should be closed by this Court, setting aside the impugned judgment dated 22.09.2017. At the same time, we direct that the University shall not recover the CPF already paid to respondent No. 1, Maharaj Singh. The contempt proceedings⁴ pending before the High Court will obviously come to an end and be treated as closed, in terms of this order.

The appeal is allowed and disposed of in the above terms.

Pending application(s), if any, shall stand disposed of.

³For short, "CPF."

⁴Contempt Application (Civil) No. 512/2021

Civil Appeal @ SLP(C) No. 4978 of 2021

Leave granted.

The appeal is allowed and disposed of in terms of the order passed today in the connected matter, that is, Civil Appeal @ SLP @ Diary No. 7063/2021.

Proceedings in Contempt Application (Civil) No. 512/2021 will be treated as closed.

.....CJI.
(SANJIV KHANNA)

.....J.
(SANJAY KUMAR)

.....J.
(K.V. VISWANATHAN)

NEW DELHI;
FEBRUARY 12, 2025.