

ITEM NO.11

COURT NO.7

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 25784/2022

(Arising out of impugned final judgment and order dated 20-04-2022 in SA No. 282/2022 passed by the High Court Of Judicature At Allahabad)

ADITYENDRA SHARMA

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.148229/2022-CONDONATION OF DELAY IN FILING and IA No.148230/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.148231/2022-EXEMPTION FROM FILING O.T.)

Date : 07-11-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Himanshu Gautam, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Madhup Tiwari, Adv.
Mr. Ashutosh Mohan, Adv.
Ms. Neha Rai, Adv.
Mr. Manoj Kumar, Adv.
Mr. Ujjaval Kumar, Adv.
Mr. Shashank Singh, AOR

For Respondent(s)

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

Delay condoned.

The learned counsel for the petitioner submits that the material which was placed before the Screening Committee, even if taken on its face value, it appears to be penal in character, which is the foundation for taking a decision in passing the order of compulsory retirement in public interest by the officer who is the President of the Screening Committee and the appointing authority

as well, by order dated 29.10.2018.

In support of his submissions, learned counsel has placed reliance on a Judgment of this Court in Baikuntha Nath Das Vs. Chief District Medical Officer, Baripada, reported in (1992) 2 SCC 299, which has been further relied on Rajendra Singh Verma (Dead) Through LRs Vs. Lt. Governor of NCT of Delhi & Anr. reported in (2011) 10 SCC 1.

Leave granted.

Issue notice on interim relief, returnable in four weeks.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(MONIKA DEY)
COURT MASTER