

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

Petition(s) for Special Leave to Appeal (C) No(s). 24779/2024

[Arising out of impugned judgment and order dated 23-08-2024 in WPC No. 10703/2024 passed by the High Court of Delhi at New Delhi]

UNION OF INDIA

Petitioner(s)

VERSUS

GURJINDER PAL SINGH & ANR.

Respondent(s)

(IA No.239706/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.239707/2024-EXEMPTION FROM FILING O.T. and IA No.239709/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 10-12-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Tushar Mehta, Solicitor General
Mr. Rajat Nair, Adv.
Ms. Astha Singh, Adv.
Ms. Sansriti Pathak, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Mr. P. S. Patwalia, Sr. Adv.
Mr. Pragyan Sharma, Sr. Adv.
Mr. Ankur Chhibber, Adv.
Mr. Arun Kr. Shukla, Adv.
Mr. Yasharth Shukla, Adv.
Mr. Nikunj Arora, Adv.
Mr. Surya Prakash, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Tushar Mehta, learned Solicitor General appearing for the Union of India. Also heard Mr. P.S. Patwalia, learned senior counsel appearing for the respondent No. 1.

2. The learned Solicitor General submits that the Union Government has the power to weed out the deadwood and the order of

compulsory retirement is neither stigmatic nor it should be taken as a punishment. In support of his submission, the counsel refers to *Union of India v. M.E. Reddy & Anr.* reported in (1980) 2 SCC 15.

3. In the present case, the learned Central Administrative Tribunal (CAT) set aside the order of compulsory retirement passed against the respondent No. 1 on 20.07.2023 and the High Court under the impugned judgment, has upheld the order of the Tribunal.

4. The reasoning given by the CAT and the High Court in the impugned judgment would indicate that it was a case of victimization and not a case to weed out the deadwood.

5. Therefore, having considered the special circumstances in the present matter, while recognising the power of the Union Government to invoke the power of compulsory retirement in a deserving case, we are of the view that disturbance need not be caused with the impugned order(s) favouring the respondent No. 1. The Special Leave Petition is accordingly dismissed.

6. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR