

Ved Prakash

Vs

Union of India and Others

Special Leave Petition (C) No. 4328 of 1987

(Ranganath Misra, S. Ranganathan JJ)

19.10.1987

ORDER

The petitioner challenged the order of his compulsory retirement dated December 23, 1985, by filing a writ petition before the Delhi High Court. This special leave petition is directed against rejection of that writ petition. After hearing learned counsel for both sides we wanted to look into the documents to satisfy ourselves as to whether there was sufficient material before the Review Committee and the competent authority for coming to the conclusion that compulsory retirement should be directed. The character roll entries, reports and other materials which were before them while taking the impugned decision have been perused by us. The jurisdiction of the court in a matter of this type is limited and we do not think a case has been made out where the High Court should have interfered with the order. In the penultimate paragraph of the judgment of the High Court, the legal position has been appropriately stated. The High Court has taken note of the fact that there was no allegation of mala fides against the authorities who ultimately took the decision to compulsorily retire the petitioner. The special leave petition, therefore, is dismissed.

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