

PETITIONER:
SHRI MEHNGA SINGH, EX-SUB INSPECTOR

Vs.

RESPONDENT:
INSPECTOR GENERAL OF POLICE, PAP, JALANDHAR CANTT. & ORS.

DATE OF JUDGMENT 01/09/1995

BENCH:
RAMASWAMY, K.
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RAMASWAMY, K.
HANSARIA B.L. (J)

CITATION:
1995 SCC (5) 682 JT 1995 (6) 546
1995 SCALE (5) 215

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Notice was issued on March 15, 1991 confined to the question of punishment.

Leave granted. Heard learned counsel on both sides.

The appellant had unblemish record of service all through till 1989. Pursuant to the promotion given to him as Inspector, he was to deposit the service revolver and six live cartridges. It is his case that he had to share a room with two other colleagues as a consequence of which the revolver and six cartridges were lost and unaccounted for. Therefore, exclusive liability may not be appropriate.

There is an element of possibility in the contention. In view of the previous unblemish record of service and the plausible explanation offered by the appellant, we are of the opinion that the extreme punishment of dismissal from service may not be warranted. Accordingly, we direct the respondents to modify the punishment of dismissal as one of compulsory retirement so that the appellant would be entitled to retiral benefits.

The appeal is according allowed. There shall be a direction to the respondents to issue appropriate orders as directed above. Consequently, the appellant would be entitled to all the terminal benefits which must be computed and paid within six months from the date of receipt of this order. His pension is also directed to be released within the above period. No costs.