

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (C) Nos.35771-35772/2025**

**[Arising out of impugned final judgment and order dated 06-11-2025 in LPA No.1067/2015 06-11-2025 in LPA No.1981/2016 passed by the High Court of Punjab & Haryana at Chandigarh]**

**NATIONAL INSTITUTE OF PHARMACEUTICAL  
EDUCATION AND RESEARCH (NIPER)**

**Petitioner**

**VERSUS**

**DR NEERAJ KUMAR & ORS.**

**Respondents**

**FOR ADMISSION and I.R.**

**I.A. No.320076/2025-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT**

**I.A. No.329640/2025-PERMISSION TO APPEAR AND ARGUE IN PERSON**

**Date : 19-12-2025 This matter was called on for hearing today.**

**CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

**For Petitioner(s) :Ms. Archana Pathak Dave, Sr. Adv.  
Mr. Siddharth Sangal, AOR  
Ms. Richa Mishra, Adv.  
Ms. Shreya Garg, Adv.  
Ms. Alankrit Bhardwaj, Adv.**

**For Respondent(s) : Caveator-in-person**

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

1. Permission is granted to the respondent to appear and argue in person.
2. Issue notice.
3. Respondent, being present in person on caveat, accepts notice. Hence, service of formal notice is dispensed with.

4. Leave granted.

5. Respondent was removed from service following disciplinary proceedings by his employer, i.e., the appellant-Institute. The said order was carried in appeal by him. The appellate authority substituted the order of removal by an order of compulsory retirement from service.

6. Aggrieved thereby, the respondent then challenged the order of compulsory retirement before the learned single judge of the High Court in a writ petition, which came to be dismissed. An appeal was carried from the order of dismissal. The Division Bench has held *vide* the impugned judgment and order that the charges against the respondent had not been proved at the inquiry. This resulted in two-fold directions: (i) reinstatement in service forthwith, without back wages; and (ii) costs of Rs.10,00,000/-.

7. We are informed by Ms. Archana Pathak Dave, learned senior counsel that under the threat of contempt, the order of the Division Bench has been complied with by reinstating the respondent in service and also by paying Rs.10,00,000/- to him on account of costs.

8. *Prima facie*, we are satisfied that the Division Bench has embarked on an exercise of appreciating evidence as an appellate authority to return the finding that the respondent had been wrongly compulsory retired from service. However, since the order has been complied with by reinstating the respondent in service and paying the amount on account of costs, for the present, we are not inclined to direct the respondent to refund the amount of Rs.10,00,000/- paid to him; the same shall abide by the result of the appeals.

9. We, however, stay the order of the High Court directing reinstatement. This, too, shall abide by the result of the appeals. If the appeals fail, we propose

to grant full service benefits to the respondent for the period he is disabled to discharge his duty.

10. If the complete set records of the inquiry that was initiated against the respondent is not on record, the appellant shall file the same by 19<sup>th</sup> January, 2026.

11. List the appeals for final hearing on 19<sup>th</sup> February, 2026.

**(RASHMI DHYANI PANT)**  
**ASST. REGISTRAR-CUM-PS**

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**