



IN THE HIGH COURT OF SIKKIM

ORDER SHEET

.....W.P.(C).....No. 33 of 2007
.....JEEWAN..PRADHAN..... Petitioner / Appellant
Versus
..STATE..OF..SIKKIM..&..OTHERS..... Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1.	11.10.07	<p>Present: Mr. Udai P. Sharma, Advocate for the Petitioner.</p> <p>Mr. J.B. Pradhan and Mr. Karma Thinlay, Government Advocates for the Respondents.</p> <p>...</p> <p>This is a writ petition on the part of a suspended Police Officer. He was granted 35 days leave on account of his wife's illness. He overstayed his leave and did not join even after the leave period was over in the middle of March this year. He has been suspended for not reporting to duty even after expiry of leave. Disciplinary proceeding is going on. In the meantime he has applied for obtaining voluntary retirement. It is not a matter of right. The authorities are not minded to accept the application for voluntary retirement but ^{they are} minded to go on with the disciplinary proceedings. They have every right to do so. The writ petition is wholly unmeritorious. It is dismissed in limine. The order and observations are without prejudice to the rights and contentions of the writ petitioner and the Department in the continuing disciplinary proceedings.</p> <p><i>and</i></p> <p><i>Arday</i></p>	

(A.N. Ray, CJ)