



Service Matter - If dismissal from employment is based on a defined procedure, even though generous beyond the requirements that bind such agency, that procedure must be scrupulously observed

“An executive agency must be rigorously held to the standards by which it professes its action to be judged. Accordingly, if dismissal from [employment](#) is based on a defined procedure, even though generous beyond the requirements that bind such agency, that procedure must be scrupulously observed. This judicially evolved rule of administrative law is now firmly established and, if I may add, rightly so. He that takes the procedural sword shall perish with that sword. Therefore, I unreservedly join in the Court's main conclusion, that the attempted dismissal of Vitarelli in September 1954 was abortive and of no validity because the procedure under Department of the Interior Order No. 2738 was invoked but not observed.” [Justice Frankfurter in *Vitarelli vs Seaton*, 359 US;535 (1959)]

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