

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2453 of 2015

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Ram Lakshman Prasad Son of Late Deo Raj Prasad Resident of Village -
Kansara, P.S. - Makhdumpur, District - Gaya

.... Petitioner

Versus

1. The Bihar State Electricity Board Now Bihar State Power (Holding Company Limited Vidyut Bhawan Bailey Road, Patna through its Chairman
2. The Chairman the Bihar State Electricity Board Now Bihar State Power (Holding Company Limited Vidyut Bhawan) Bhaily Road, Patna
3. The General Manager Human Resources Administration Bihar State Electricity Board, Now Bihar State Power (Holding Company Limited Vidyut Bhawan Bailey Road, Patna
4. The Secretary Bihar State Electricity Board Now Bihar State Power (Holding Company Limited Vidyut Bhawan, Baily Road, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra

For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-02-2015 Heard learned counsel for the parties.

While Mr. Sanjeev Kumar Mishra, learned counsel for the petitioner, does not dispute the correctness and/or legality of the impugned order dismissing the petitioner from service on the ground that he had been convicted and sentenced by the criminal court but then he would submit that his appeal against such conviction is pending.

Let it be made clear that once the petitioner was dismissed from service on the ground of his being convicted and sentenced by the criminal court, that by itself would be a full stop so far it relates to relationship between the employer and the employee.

Whether the petitioner will get relief in the criminal appeal or not is not and infact cannot be made the subject matter of the order of the impugned order dismissing the petitioner from service on account of his being connected and sentenced in a criminal trial. As a matter of fact the respondents also had no option in a situation like this where the petitioner was found to be convicted on account of grave charge under Prevention of Corruption Act.

That being so, this application must fail and is hereby dismissed.

(Mihir Kumar Jha, J)

surendra/-

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