

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 3833 of 2016
Date of Decision:- 26.02.2016

Samsher Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Rajesh Hooda, Advocate
for the petitioner.**

RITU BAHRI, J. (Oral)

The petitioner is seeking quashing of order dated 09.02.2016 (Annexure P-5) whereby the services of the petitioner have been terminated on account of his conviction in a criminal case.

Petitioner was appointed as Veterinary and Live Stock Development Assistant (for short 'VLDA') on 18.03.1988. FIR was registered against him under Section 7/8/13 of the Prevention of Corruption Act (hereinafter to be referred as 'the Act') at Police Station, SVB, Rohtak. The allegations were that the petitioner was demanded ₹1,00,000/- from one Satbir Singh for appointment to the post of Auction Recorder in Agriculture Department of Haryana. Vide judgment dated 24.09.2013, passed by learned Special Judge, Rohtak, he was ordered to undergo

imprisonment of two years and fine of ₹10,000/- under Section 7(d) (e) of the Act and to further undergo imprisonment for three years and fine of ₹15,000/- under Section 13(i) (d) of the Act. Petitioner filed appeal before this Court against the judgment dated 24.09.2013. Thereafter, this Court vide order 05.10.2013, suspended the sentence of imprisonment imposed upon the petitioner during the pendency of the appeal. His conviction was not stayed.

Keeping in view the above facts, the services of the petitioner were terminated, vide impugned order dated 09.02.2016 (Annexure P-5), by respondent No.2, by rightly invoking the provisions of Article 311(2) of the Constitution of India and thus the said order (Annexure P-5) does not require any interference by this Court. Accordingly, the present writ petition is dismissed being devoid of merit.

February 26, 2016
naresh.k

(RITU BAHRI)
JUDGE