

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18324 of 2014

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Krishna Kumar Mohan Son of Late Nagu Singh R/o village - Chhariyari,
P.S. Makadumpur, District - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Education Department, Patna
3. The District Education officer, Gaya
4. The District Programme Officer (East) Gaya
5. The Block Development Officer, Gaya
6. The Block Education Officer, Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nagendra Sharma
For the Respondent/s	:	Mr. Raghwanand
		GA-11
		Dr. Kamal Deo Sharma
		AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI
ORAL ORDER

2 23-05-2017 A counter affidavit of the State was served and filed
on 06.04.2016. No rejoinder thereto has been filed.

The stand of the State is that the petitioner was made
an accused in Makhdumpur P. S. Case No. 126 of 1982 under
Section 302, 149 IPC etc. He now stands convicted by the trial
court and there is nothing to show that that conviction stands set
aside by any superior Court.

By virtue of the said conviction order petitioner stands
dismissed from the service. A dismissed employee is not entitled
to pension, gratuity etc. after his conviction.

If the petitioner stands exonerated by any superior



Court of the charges, then surely he may have occasion to revert to the Court or his authorities for assertion of his claim, otherwise no order for such relief can be passed at this juncture by the Court in the given facts.

Writ application stands disposed off in terms of above.

(Ajay Kumar Tripathi, J)

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