

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-2465-1994 (O&M)
Date of decision: 17.08.2017**

Ram Kishan Patwari

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. H.S. Deol, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The instant writ petition was instituted in the year 1994 impugning the order dated 23.10.1987 passed by the Collector, District Ferozepur and in terms of which the petitioner, who was serving as a Patwari was dismissed from service.

Perusal of the impugned order would reveal that the petitioner had faced trial and was convicted vide judgment dated 15.07.1987 passed by the Special Judge under the provisions of Prevention of Corruption Act. The substantive sentence awarded was for a period of 2 years RI and to pay a fine of Rs,1000/-.

Dismissal was based on conviction and while taking recourse to the powers conferred under Rule 13(1) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

Pleadings on record would also indicate that a statutory appeal

filed by the petitioner against the order of dismissal has been dismissed in terms of order dated 02.11.1993 passed by the Financial Commissioner (Revenue).

The entire case set up on behalf of the petitioner was that conviction by the trial Court cannot be construed as a '**final conviction**' as an appeal against the conviction was filed and was pending adjudication.

Placed on record is a copy of judgment dated 14.02.1995 passed by a Coordinate Bench of this Court in CRA-S-431-SB-1987 and in terms of which the appeal preferred by the present petitioner against the judgment of conviction has been dismissed.

The conviction of the petitioner under the Prevention of Corruption Act having attained finality, there would be no basis to interfere with the impugned order of dismissal.

Petition is dismissed.

17.08.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

Note:	(i)	Whether speaking/reasoned?	Yes
	(ii)	Whether Reportable?	No