

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5572 of 2018**

R.K. Netam S/o Late Veer Singh Netam Aged About 50 Years Ex-Sub Registrar, District Durg, R/o Village Kanidabri, Police Station Arjuni, District Dhamtari, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Commercial Tax (Registration) Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Inspector General Registration And Superintendent Of Stamp, Raipur, Chhattisgarh Raipur.

----Respondents

For Petitioner	:	Mr. H.B. Agrawal, Sr. Advocate along with Ms. Preeti Yadav, Advocate
For State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/08/2018**

1. The challenge in the present writ petition is to the order of termination dated 15.06.2018 passed by the respondents.
2. The contention of the learned senior counsel is that the services of the petitioner has been terminated without inquiry and that he was a permanent employee, therefore the termination without an inquiry is per se illegal.
3. Perusal of the record would reveal that the petitioner was prosecuted in a criminal case for the offence under Section 420, 120B of Indian Penal Code and he stands convicted vide judgment dated 20.02.2018. Pursuant to the judgment of conviction the petitioner's services has been terminated. Merely because the petitioner has got bail from the appellate Court by itself would not mean that the conviction part stands suspended or kept in

abeyance. It is only the sentence part which has been suspended and not the conviction part.

4. For the aforesaid reasons, this Court is of the opinion that pending the operation of judgment of conviction against the petitioner the order of termination has very little scope to be interfered by this Court under Article 226 of the Constitution of India.
5. The fate of order of termination would depend upon the outcome of the criminal appeal which is pending before this Court.
6. With the aforesaid observations, the writ petition stands dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved