

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6360 of 2018**

Domar Singh S/o Shri Bahar Singh, Aged About 49 Years Ex. Forest Guard, R/o Village Dumarpadav, Post Taurenga, Tahsil Mainpur, District Gariyaband Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Conservator Of Forest, Udanti Sitanadi Tiger Reserve, Raipur, Forest Colony, Raja Talab, Near Saksharta Chowk, Raipur, District Raipur Chhattisgarh.
3. Chief Forest Conservator Raipur, Sitanadi Tiger Reserve, Raipur, District Raipur Chhattisgarh.
4. Director, Forest, Sitanadi Tiger Reserve, Raipur, District Raipur Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Rajat Agrawal, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/09/2018**

1. The petitioner was working as a Forest Guard under the respondents, when he was involved in a criminal case and was convicted for the offence punishable under Section 376 of the Indian Penal Code.
2. Later on the petitioner preferred an appeal before the High Court i.e. CRA No. 2535/1998 and the Criminal Appeal finally stood allowed on 03.02.2015. Subsequent to the petitioner being acquitted from the criminal case, the petitioner has been making repeated approach to the respondents for reinstatement in service. According to the petitioner, he has not been reinstated in service.

3. The contention of the petitioner is that there was no departmental enquiry conducted before the removal of the services of the petitioner, but was removed only on account of his being involved in the criminal case and subsequently getting convicted.
4. Given the said facts, once when the petitioner has been acquitted from the criminal case, the respondent authorities are bound to consider his case for reinstatement in accordance with the provisions of the Fundamental Rules.
5. The petitioner in this case has already made repeated representations. Let the petitioner make another representation to the respondent No.2 within a period of two weeks from today and the respondent No.2 thereafter shall pass an appropriate order on the said representation of the petitioner in accordance with the service regulations governing the fields within a period of 60 days from the date of receipt of the representation.
6. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved