

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 4887 of 2016

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Gopal Krishna, Son of Late Bhola Issar, resident of village- Mai Dariyapur,
P.O.- Dariyapur, P.S.- Mufassil, District- Munger

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Government of Bihar
2. The Collector-cum-District Magistrate, Lakhisarai
3. The Block Development Officer, Lakhisarai
4. The In-charge Officer, District Legal Branch, Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Respondent/s : Mr.Subhash Pd. Singh- Ga7

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 09-05-2019

Heard learned counsel for the petitioner and the respondent-State.

2 Writ petition had been filed challenging dismissal of the petitioner under Rule 20 of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 on account of his conviction in two criminal cases.

3 IA No 1 of 2019 has been filed asserting that the criminal cases, which form the basis of his dismissal, has finally resulted in acquittal by the High Court in the proceedings arising



out of Cr Appeal (SJ) No 30 of 2011 and Cr Appeal (SJ) 39 of 2011.

4 In view of the said development, during pendency of the instant writ proceedings, Mr Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioner submits that the petitioner is entitled to reinstatement on his earlier service.

5 If the petitioner has already been acquitted then the respondents would be obliged to reinstate him in the service if there is no other legal impediment or no other proceedings pending against the petitioner. This Court will only observe that from the date on which petitioner has submitted his communication to the competent authority regarding acquittal in the said cases, the petitioner should be considered to be in reinstatement and granted consequential benefits if there is no other legal impediment in his reinstatement.

6 Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.05.2019
Transmission Date	NA

