

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9252 of 2015

Rajni Raman Anari Son of Late Bhikh Ranjan Ram Resident of Village- Ujan,
P.S. Bithan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Water Resources Department, Govt. of Bihar, Patna
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Anisabad, Patna.
5. The Superintending Engineer, Water Resources Department, Siwan.
6. The Executive Engineer, Gandak Design Division No.3, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Advocate
For the Respondent/s : Mr.H.S.Roy, AC to A.G.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 13-11-2019

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

2. On account of his conviction in a criminal case on 24.02.2007 by the Court of Additional Sessions Judge (Fast Track Court No.II) Siwan, in Sessions Trial No. 315 of 2003, the petitioner has been dismissed from service.

3. The counsel for the petitioner complains that after having served the sentence he submitted joining which has not be accepted.

4. The State counsel submits that dismissal on account of the petitioner's conviction, in the



criminal proceedings, is under the provisions contained in Article 311 (2) of the Constitution of India. The petitioner has not preferred any appeal against the order of conviction and in view of his admitted conviction, the termination does not require any interference.

5. It is also pointed out that after his conviction, he had approached this Court in C.W.J.C. No. 13282 of 2012 for being paid the subsistence allowance for the period of suspension.

6. Having regard to the aforesaid circumstances and the fact that the petitioner till date has not filed any Appeal against the conviction, the termination on account of such conviction, does not require any interference by this Court.

7. The writ petition is dismissed.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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