

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 839 of 2019

Padam Das Barman S/o Aghan Das Barman, Aged About 55 Years
R/o Co-Operative Bank Kargiroad Kota, Police Station Kota District
Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its The Secretary, Home Department Mahanadi Bhawan New Raipur, Chhattisgarh.
2. The Inspector General Of Police Range Police Bilaspur, District - Bilaspur Chhattisgarh.
3. The Superintendent Of Police Bilaspur, District - Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ravi Maheshwari, Advocate
For State	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08/02/2019

1. The challenge in the present writ petition is to the order dated 01/01/2019 (Annexure P-3) whereby the petitioner has been terminated from service. Perusal of the record would show that the termination order has been on account of the petitioner being found convicted in a criminal case for the offence punishable under Section 7 and Section 13 (1) (d) read with Section 13 (2) of the Prevention of Corruption Act, 1988.
2. For the two offenses, the petitioner has been sentenced to undergo RI for 5 years with fine amount. The record also show that the petitioner has already preferred a criminal appeal against the judgment of conviction.

3. Given the said facts, this Court is of the firm view that as on this date, since there is an order of conviction against the petitioner, it would be difficult for this Court to interfere with the order of termination at this juncture. Therefore, reserving the right of the petitioner to revive the writ petition, if need so arises, after the criminal appeal preferred by the petitioner stands decided in his favour and the judgment of conviction is set aside/quashed.
4. The writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Harneet