

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4675 of 2019**

Prakash Rangari S/o Late Shri P.L. Rangari Aged About 56 Years Post Sub
Treasury Officer, R/o Uday Nagar, Kanker, District Kanker Chhattisgarh.,
District : Kanker, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Finance
Ministry, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Directorate Of Treasury, Accounts And Pension, Block - A,
First Floor, Indrawati Bhavan, New Raipur, District Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh
3. The Commissioner Treasury, Accounts And Pension, Block-A, First Floor,
Indrawati Bhavan, New Raipur, District Raipur Chhattisgarh., District :
Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A. K. Dewangan, Advocate
For State	:	Ms. Astha Shukla, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/06/2019**

1. The limited prayer which the petitioner has made in the present writ
petition is for a direction to respondents to consider and decide the
representation which the petitioner has made.
2. Relevant facts of the case is that the petitioner herein was working as
a Sub Treasury Officer and was placed under suspension for
committing certain misconduct vide order dated 13.02.2009.
Subsequently, the suspension was revoked on 27.12.2013 and
petitioner was reinstated in service.

3. Later on, the petitioner stood convicted for a criminal case for the offence punishable under Prevention of Corruption Act on 21.07.2017. Based on the conviction, petitioner's services stood terminated w.e.f. 21.07.2017 itself. The petitioner has now made a representation to the department alleging that in an identical matter in the case of Ajay Kumar Singh, the department has taken a lenient view instead of terminating the said person on his being convicted for a criminal case, he has been placed under suspension till the criminal appeal preferred by the said person against his conviction is decided. The petitioner prayed for a similar relief in his representation.
4. This Court, at this juncture is not inclined to entertain the writ petition for the reason that undisputedly the petitioner as on date is a convicted person and the judgment of the conviction was passed about two years back i.e. 27.07.2017. Likewise, it is also not in dispute that services of the petitioner stands terminated w.e.f. date of conviction i.e. from 21.07.2017 which again would show that he stands terminated for a period of more than two years now.
5. Under the circumstances, this Court would not be in a position to direct the respondent to now convert the order of termination of the petitioner into one of suspension till the criminal appeal is pending. The writ petition therefore fails and is accordingly rejected. Rejection of the writ petition would not preclude the petitioner from approaching the authorities in the department for ventilating his grievance, if any.

Sd/-
(P. Sam Koshy)
Judge