

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4870 of 2019

Manoj Vishwakarma S/o Narmada Prasad Vishwakarma, Aged About 41 Years R/o Vaishnavi Vihar Colony, Uslapur, Panchayat Ameri, Thana Chakarbhata, District Bilaspur Chhattisgarh. **---- Petitioner**

Versus

1. Chhattisgarh State Legal Services Authority Through Its Member Secretary, Chhattisgarh State Legal Services, Authority, Old High Court Building, District Bilaspur Chhattisgarh
2. District Legal Services Authority Through Its President / District Judge, District Legal Services Authority, Kabirdham, District Kawardha Chhattisgarh. **---Respondents**

For Petitioner : Mr. Vinod Deshmukh, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/07/2019

1. The Challenge in the present writ petition is to the order Annexure P/1 dated 11.01.2019 whereby the petitioner has been terminated from service.
2. Perusal of records would show that the petitioner has been terminated from service on account of the petitioner getting convicted in Criminal case No. 1212 of 2013 and he has been sentenced to under go RI for three years with fine of Rs. 5000/- for an offence punishable under section 409 of Indian Penal Code.
3. Given the fact that, since the petitioner, as on date stands convicted, this Court is of the opinion, that petitioner until & unless is cleared of conviction in as much as the Criminal Appeal that the petitioner has preferred i.e. 05 of 2019 filed before the concerned Appellate Court is decided in favour of the petitioner, the petitioner may not have any right created in his favour seeking for reinstatement.

4. In view of the same, reserving the right of the petitioner to approach the authorities after the outcome of Criminal Case No. 05/2019 pending before the Additional Session Judge (FTC), Kabirdham, is decided.
5. The present writ petition in its present form stands disposed of, at this juncture.

**Sd/-
(P. Sam Koshy)
Judge**

Jyotijha