

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) No. 5699 of 2019**

- Sanjay Naampalliwar, S/o Anant Rao Palliwar, aged about 47 years, R/o Vinayak Garden, Vijay Nagar Chowk, Awanti Vihar, Raipur, District Raipur (CG)

... Petitioner**Versus**

1. State of Chhattisgarh, through Secretary, Ministry of Co-operative Society, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (CG)
2. The Registrar, Co-operative Society, Raipur, District Raipur (CG)
3. Chhattisgarh Public Service Commission, through: Secretary, Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Ms. Priya Mishra, Advocate.
For Respondents	:	Mr. Jitendra Pali, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/08/2019**

1. The defaults occurred in the filing of the present writ petition stand condoned.
2. Heard finally.
3. The present writ petition has been filed for the following relief(s):

“10.1 Hon'ble Court may kindly be pleased to call for entire records pertaining to the case of petitioner for kind perusal of this Hon'ble Court.

10.2 Hon'ble Court may kindly be pleased to direct the respondent to reinstate the service of the petitioner and pay the all consequential benefit as per rules.

10.3 Any other relief which may be deemed fit by this Hon'ble Court just and proper in the facts and circumstances of the case may also be provided in favour of the petitioner.”
4. Perusal of the impugned order would show that the petitioner's service has been terminated vide order dated 3.11.2017. The perusal of the termination order would show that the service of the petitioner has been terminated on account of the petitioner getting convicted for the offence under Section 7 and also under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act. The judgment of conviction was passed on 10.3.2017 in Special Criminal Case No. 2/2010 by the Special Judge, Prevention of Corruption Act, Raipur. The judgement of conviction is already under

challenge in Criminal Appeal No. 467/2017 where it is only the sentence part which has been suspended, the conviction is not under suspension.

5. As long as the conviction of the petitioner is under challenge, the question of granting benefit of reinstatement in service does not arise at all as the petitioner would stand disqualified from the government employment by virtue of conviction.
6. Reserving the right of the petitioner to approach the authorities after outcome of the said criminal appeal, the present writ petition stands disposed of.
7. The writ petition stands disposed of accordingly.

Sd/-
(P. Sam Koshy)
JUDGE

/sharad/