

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5888 of 2019

Dhansay S/o Shri Bhajan Ram Aged About 59 Years R/o House No. 73,
J.M.Q. Colony, Post Office And Police Station Bishrampur, District, Surajpur
Chhattisgarh., District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited, Through Its Chairman - Cum - Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Deputy General Manager / Sub Area Manager (Mines) Rehar Gayatri Ketki Sub Area, South Eastern Coalfields Limited, Bishrampur, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh
3. Sub Area Manager, Gayatri U G Mine R G K Sub Area, South Eastern Coalfields Limited, Bishrmapur Area , Post Office Ketka, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For Respondents	:	Mr. V.R. Tiwari, Advcoate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/08/2019

1. The challenge in the present writ petition is to the order of termination (Annexure P/1) dated 28.06.2019.
2. The reasons for terminating the petitioner is on account of the petitioner being convicted in a criminal case for the offence punishable under Section 306 of Indian Penal Code.
3. Perusal of the record would show that the petitioner and his family members were prosecuted for the offence under Section 306/34 and vide judgment dated 25.05.2018 passed by the Additional Sessions Judge, Katghora, District Korba in Sessions Case No. 99/2016, the petitioner has been found guilty of the said offence and has been convicted and sentenced to undergo

rigorous imprisonment for 7 years and fine of Rs. 2000/- with default stipulation.

4. The petitioner has preferred a Criminal Appeal against the said judgment of conviction i.e. the Criminal Appeal No. 815/2018. In the said appeal this Court has only suspended the sentence, but the conviction part has not been suspended.
5. Given the said facts that there is a judgment of conviction against the petitioner as of now, it would not be fruitful to entertain the petition, unless the Criminal Appeal is decided in favour of the petitioner.
6. Given the said facts, the present writ petition stands disposed of reserving the right of the petitioner to approach the Court after the Criminal Appeal No. 815/2018 is decided.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved