

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 25 of 2020

- R. L. Kode S/o Late Purashottam Singh Korey Aged About 64 Years R/o Village Bazarpara, Ward No. 03, Tahsil Bhanupratappur, District Kanker Chhattisgarh, District : Kanker, Chhattisgarh

---- Petitioner

Versus

1. State Of Madhya Pradesh Through Secretary Revenue Department, Vallabh Bhavan, Bhopal, District : Bhopal, Madhya Pradesh
2. Commissioner Bastar Division, Jagdalpur District : Bastar(Jagdalpur), Chhattisgarh
3. Collector Jagdalpur District : Bastar(Jagdalpur), Chhattisgarh
4. State Administrative Tribunal Jabalpur, Through Its Registrar, S. A. T. Tahsil Chowk, Jabalpur (Now Abolished)
5. State Of Chhattisgarh Through Secretary Revenue Department, D. K. Hospital Campus, Raipur Chhattisgarh

....Respondents

Petition for review

(By Circulation in Chamber)

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

(Order passed on 20/01/2020)

This review petition is directed against order dated 09.08.2012 passed in WP No.4992/2004 by which petitioner's petition assailing order of the service, has been dismissed.

Review has been sought after delay of more than seven years on the ground

that on the same allegation, criminal case registered against him, he was acquitted from criminal charges vide judgment dated 20.06.2008. This fact having not been brought to the notice of this Court an occasion has arisen to seek review of the order.

In view of the well settled legal position that the standard and degree of proof required in criminal case is much higher than the standard and degree required to prove charges in a departmental inquiry and that mere acquittal from criminal charges would not entitle an employee dismissed from service on proof of misconduct, to be reinstated in same, this review petition, filed after long period of more than seven years is liable to be dismissed in limine and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge