
(2018) 03 CHH CK 0071
In the Chhattisgarh High Court
Case No : Writ Petition (S) No.2249 of 2018

SHANKAR SHARMA

APPELLANT

Vs

STATE OF CHHATTISGARH

RESPONDENT

Date of Decision : 19-03-2018

Acts Referred:

Indian Penal Code, 1860 — Section 13(1)(d), 13(2), 120B, 420, 467

Citation : (2018) 03 CHH CK 0071

Hon'ble Judges : P. SAM KOSHY

Bench : Single Bench

Advocate : PR Patankar, Sunita Jain, RK Gupta

Final Decision : Disposed Of

Judgement

1. The petitioner who was a Revenue Inspector, now stands superannuated by virtue of crossing the age of superannuation on

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2. The Accountant General Treasury Accounts And Pension, Raipur Chhattisgarh. 30.06.2010.Â The petitioner was implicated in criminal case

which was registered as case No.01/2001 for the offence punishable under Sections 120-BÂ IPC, 420, 467 IPC and Section 13(1)(d) read with

Section 13(2) of PC Act.Â The matter was put to trial before the Special Judge, Durg, and the court ultimately vide judgment dated 18.07.2017 has

acquitted the petitioner from the said charges. Meanwhile, the petitioner was also prosecuted in the departmental proceedings where also he has been

exonerated of the charges.

3. Because of pendency of criminal case, the petitioner could not be taken back in service and now by efflux of time the petitioner has crossed the age

of superannuation. Given the aforesaid facts and circumstances of the case, the only relief which the petitioner can be granted is of considering his case under the provisions of Fundamental Rules-54.

4. In view of the aforesaid facts circumstances of the case, this court is of the opinion that no fruitful purpose would be served in keeping this petition

pending and this petition is disposed of with a direction to the respondent No.2 to consider the case of the petitioner keeping in view the provisions of

Fundamental Rule-54. If for any reason the Collector is not competent authority then it shall be the responsibility of the Collector to mark the said file

to the concerned competent

5. Needless to mention that the respondents shall also consider grant of

6. The writ petition is accordin