

## Meghnath Baitha Vs State Of Jharkhand

**Court:** Jharkhand High Court

**Date of Decision:** Jan. 27, 2025

**Acts Referred:** Indian Penal Code, 1860 " Section 120B, 419, 420, 467, 468, 471

**Hon'ble Judges:** Ananda Sen, J

**Bench:** Single Bench

**Advocate:** Ajay Kr. Pathak, N.N. Mishra, Indranil Bhaduri

**Final Decision:** Disposed Of

### Judgement

Ananda Sen, J

1. Learned counsel representing the petitioner submits that the representation of the petitioner is still pending for consideration before the Authority

concerned, which was filed after acquittal of the petitioner. He submits that suffice it would be, if a direction is given to the respondents to consider

the representation of the petitioner on merits.

2. Mr. Indranil Bhaduri, learned counsel representing the respondents submits that the representation is of no use as the petitioner has represented

before the same authority, who had already passed the order of dismissal. He further submits that the petitioner was dismissed on 20.09.2009 on the

ground that he has committed forgery while obtaining the service.

3. Heard learned counsel for the parties.

4. After going through the documents, I find that though the petitioner was dismissed because of the aforesaid charge, a criminal case was also

instituted against him being G.R. No.365 of 2009. The said case was tried by the Chief Judicial Magistrate, Latehar, for offences under Sections 419/

420/ 467/ 468/ 471/ 120B of the Indian Penal Code. In that case, the petitioner was acquitted. After acquittal, the petitioner has filed a representation

though he had not filed an appeal.

5. Since the petitioner has been acquitted, it is the respondents who ought to take call on the issue as to whether the said acquittal will have any impact

on the dismissal of the petitioner or not. Thus, I direct the petitioner to approach the appropriate Authority by filing an appeal within four weeks from

today.

6. If such appeal is filed, the Appellate Authority will consider the same on merits as per law after considering the judgments of the Hon'ble

Supreme Court, and will pass a reasoned order within eight weeks thereafter.

7. With the aforesaid observation, this writ petition is disposed of.

8. Be it noted that I have not entered into the merits of the case.