

Court No. - 36

Case :- WRIT - A No. - 14405 of 2023

Petitioner :- Sanjay Pratap Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Awadh Narain Rai, Mrigraj Singh

Counsel for Respondent :- C.S.C., Shrinath

Hon'ble Manjive Shukla, J.

1. Short-Counter Affidavit filed on behalf of Respondent No. 3 is taken on record.

2. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the Respondent No. 1 as well as Mr. Shrinath, learned counsel appearing for the Respondents No. 2, 3 & 4.

3. Petitioner through this writ petition has challenged the order dated 11.08.2023 passed by the District Basic Education Officer, Bhadohi, whereby petitioner's services have been placed under suspension.

4. This court after hearing the parties counsels passed a detailed order on 29.08.2023 in following terms :-

"1. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the Respondents No. 1 & 2 as well as Mr. Shrinath, learned counsel appearing for the Respondents No. 3 & 4.

2. Learned counsel appearing for the petitioner has submitted that till date there is no material available with the District Basic Education Officer, Bhadohi on the basis of which he can even record a prima facie satisfaction that the mark sheets submitted by the petitioner are forged.

3. Learned counsel appearing for the petitioner has also submitted that as per Rule 4 of the U.P. Government (Discipline and Appeal) Rules, 1999 any teacher can be placed under suspension only in contemplation of disciplinary proceedings, whereas from bare perusal of the order of suspension dated 11.08.2023 it becomes crystal clear that no disciplinary proceedings are contemplated against the petitioner.

4. List this matter on 12.09.2023 as fresh.

5. On the said date, learned counsel appearing for the District Basic Education Officer, Bhadohi shall place before this court record and material on the basis

of which order of suspension dated 11.08.2023 has been passed."

5. Today Mr. Shrinath, learned counsel appearing for the Respondents No. 2, 3 & 4 has filed an affidavit of the Respondent No. 3, wherein it has been categorically mentioned that suspension of the petitioner's services has been revoked by order dated 31.10.2023 passed by the District Basic Education Officer, Bhadohi.

6. Learned counsel appearing for the petitioner has also submitted that the suspension of the petitioner's services has already been revoked vide order dated 31.10.2023 and he prays that this writ petition may be disposed of in terms of order dated dated 31.10.2023.

7. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, this writ petition is ***disposed of*** in terms of order dated 31.10.2023 passed by the District Basic Education Officer, Bhadohi.

Order Date :- 6.11.2023

Gaurav