

Court No. - 34

Case :- WRIT - A No. - 15432 of 2023

Petitioner :- Renu Sahu

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

Counsel for Petitioner :- Seemant Singh

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Heard Sri Seemant Singh, learned counsel for the petitioner and learned Standing Counsel for the State respondents.

Petitioner has questioned the order of suspension dated 19th August, 2023 on the ground that on 19th August, 2023, she was very much present doing some tehsil work in tehsil itself, however she could not reach on time in the hall where meeting was convened by the District Magistrate concerned. Regarding the other charge on previous Samadhan Diwas it was shown that she was on leave from 4th August, 2023 to 5th August, 2023.

Learned Standing Counsel on the contrary submits that explanation offered by the petitioner insofar as the first charge is concerned, is not satisfactory and is required to face departmental inquiry as non-appearance of an officer on the date when meeting is scheduled by the District Magistrate amounts to gross-misconduct. It is submitted that the chargesheet has already been served upon the petitioner and the Court may direct for conclusion of an inquiry within specified period of time.

In view of the above, while I decline to interfere with the order of suspension dated 19th August, 2023, I hereby direct as follows:

(i). Petitioner shall be submitting her reply to the chargesheet within a period of three weeks from today and in the event she submits her reply to the chargesheet as directed hereinabove, departmental inquiry shall be concluded within the next one month's time with due participation of the petitioner.

(ii). After the departmental inquiry is concluded as directed hereinabove, the disciplinary proceedings shall also be concluded, if required further, within a further period of two months' time.

(iii). Petitioner shall be paid subsistence allowance for the period she remains under suspension.

(iv). It is made clear that in the event respondents are not able to conclude the inquiry as directed hereinabove despite due cooperation rendered by the petitioner, the order of suspension dated 19th August, 2023 shall stand revoked.

(v). It is further clarified that in the event petitioner does not submit her reply to the chargesheet as directed hereinabove and does not cooperate in the departmental inquiry despite notice, the respondent shall be at liberty to proceed in accordance with law.

Order Date :- 26.10.2023

Atmesh