

Court No. - 34

Case :- WRIT - A No. - 16318 of 2023

Petitioner :- Kumari Sheetal

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Prabhakar Awasthi, Rohit Upadhyay

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

1. Instructions placed today by learned Standing Counsel are taken on record.
2. As per instruction, a statement made before this Court earlier by the Advocate appearing for the petitioner has been found to be correct as the amount which was wrongly transmitted in the account has been recovered back and has also been transmitted in the relevant account and so, there is no loss of public money.
3. Learned Standing Counsel submits that the respondent has very fairly admitted that she did so due to undue pressure being exercised upon her, therefore, she deserves regular enquiry.
4. In the circumstances therefore, I find it to be a fit case where the order of suspension deserves to be put in abeyance until the final outcome of the enquiry.
5. At this stage, learned Standing Counsel has drawn the attention of the Court towards the instruction in which it has come to be stated that since the petitioner had not reported for duty in the development block concerned, he could not be served chargesheet by hand, however the same has been sent by Registered Post.
6. Learned counsel for the petitioner submits that the petitioner would be submitting reply within four weeks' time.
7. In view of the above, this petition stands ***disposed of*** with direction that the petitioner if submits reply within four weeks, the departmental enquiry and consequential disciplinary proceedings shall be concluded within three month's time provided the petitioner cooperates.

8. Accordingly, till 31.03.2024 or till the final orders are passed in disciplinary proceedings, whichever is earlier the order of suspension dated 11.09.2023 shall remain in abeyance. Petitioner shall be permitted to discharge his duties and be paid salary. The fate of the suspension order will abide by the result/outcome of the disciplinary proceedings.

Order Date :- 30.11.2023

Deepika