

Court No. - 6

Case :- WRIT - C No. - 34243 of 2023

Petitioner :- Munna Pandey

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Puran Nath Shukla, Anupam Mishra

Counsel for Respondent :- C.S.C., Kameshwar Rao

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Puran Nath Shukla, learned counsel for the petitioner, Mr. Kameshwar Rao, learned counsel for respondent no.3 and learned Standing Counsel for the State-respondents.

This writ petition has been filed by the petitioner with a prayer to quash the impugned order dated 07.08.2023 passed by respondent no.2 vide which the powers of respondent no.3-Pradhan have been restored and a further prayer to direct the respondent no.2 to initiate further fresh enquiry providing opportunity to the petitioner for hearing.

On 01.11.2023 following orders were passed:-

"Heard Mr. Puran Nath Shukla, learned counsel for the petitioner, Mr. Kameshwar Rao, learned counsel for respondent no.3 and learned Standing Counsel for the State-respondents.

This writ petition has been filed by the petitioner-complainant who has made a complaint against the village Pradhan-respondent no.3 regarding illegalities as done by him in the development work of the village concerned. On the aforesaid complaint, a preliminary inquiry was conducted and financial and administrative powers of respondent no.3-Pradhan were ceased, against which he filed a writ petition, which is pending. However, only a two member committee was constituted to conduct the final inquiry, which is against the provisions of the relevant act. The writ petition of the respondent no.3-Pradhan is pending, wherein no interim orders were granted in his favour. The officers concerned have been managed to hold the inquiry after which the impugned order has been passed.

On the basis of aforesaid facts, this Court finds though, the complainant's petition is not maintainable, however, taking cognizance of the conduct of the officers concerned, the standing counsel is granted two weeks' time to obtain instructions in this matter.

Connect this case alongwith Writ-C No. 38871 of 2022 (Rakesh Yadav Pradhan vs. State of U.P. and 2 Others).

Put up this case on 21.11.2023 as fresh, alongwith connected case."

On the basis of instructions, learned Standing Counsel submits that the inquiry has been conducted in a proper manner and placing emphasis on page no.44 to the writ petition submits that the allegations as made against the Pradhan has not been found to be true.

According, the complainant's petition is **dismissed**.

Order Date :- 21.11.2023

Kalp Nath Singh