

Court No. - 40

Case :- WRIT - C No. - 35568 of 2023

Petitioner :- Naresh Chand

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Shree Prakash Giri

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Mr. Shree Prakash Giri, learned counsel for the petitioner and Shri S.C. Upadhyay, learned Standing Counsel for the State-respondents.

2. The petitioner claims to be social worker and resident of District- Agra. He made complaint against respondent nos. 4 and 5 who are the government servant discharging their duties as Collection Amin and Assistant Development Officer (Panchayat) respectively and they have huge property beyond their monthly salary either in their own names or in the name of their family members by misappropriation of their posts in unlawful and illegal manner.

3. In this backdrop, learned counsel for the petitioner states that the present writ petition is preferred for a direction from Principal Secretary, Department of Vigilance, Government of Uttar Pradesh, Lucknow to conclude the proceedings of investigation on the basis of complaint dated 05.06.2023 against respondent nos. 4 and 5 to its logical end under Section 13(1) of the Prevention of Corruption Act, 1988. In support of his submissions, he has also placed reliance upon the judgement passed by the Apex Court in ***Charan Singh v. State of Maharashtra, 2021 5 SCC 469.***

4. Considering the facts and circumstances, without advertng to the merits of the case, needless to say in case, complaint is entertained by the competent authority, definitely the same is to be concluded to its logical end but after giving an opportunity of hearing to the persons against whom alleged allegations are levelled.

5. With the aforesaid direction, the writ petition stands **disposed of.**

Order Date :- 13.10.2023/ Rama Kant