

**Court No. - 6**

**Case :-** WRIT - C No. - 34597 of 2023

**Petitioner :-** Rajendra Prasad Yadav

**Respondent :-** State Of U.P. And 5 Others

**Counsel for Petitioner :-** Vinay Kumar Yadav, Rajesh Yadav

**Counsel for Respondent :-** C.S.C., Amit Kumar Verma, Awadhesh Kumar Chaudhari

**Hon'ble Mrs. Manju Rani Chauhan, J.**

Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

The writ petition has been filed by the petitioner with the prayer to quash the order dated 20.09.2023 passed by respondent no. 2 and further prayed to direct the respondent authorities not to disturb the petitioner in peaceful functioning as Pradhan of Gram Panchayat Pipraul, Vikas Khand Suithakalan, District Jaunpur.

Brief facts of the case are; the petitioner is duly elected as Gram Pradhan of Gram Panchayat Pipraul, Vikas Khand Suithakalan, District Jaunpur. On the complaint of one Vijay Bahadur, the District Supply Officer, Jaunpur was directed to hold an inquiry and in the presence of parties, the spot inspection on the allegation as made by the complainant was done. The inquiry report of the District Supply Officer, Jaunpur alongwith spot inspection report was placed on 05.06.2023. Relying upon the aforesaid, the District Panchayat Raj Officer was directed to conduct a preliminary inquiry on the allegation as made in the complaint, inquiry has been conducted and show cause notice has been issued to the petitioner, to which he submitted a reply on 26.07.2023, considering the aforesaid report, the order impugned has been passed, hence, the present petition has been filed.

Learned counsel for the petitioner submits that the reply has not been dealt with in the order impugned and he has been held guilty for the work not assigned to him, thus the same is liable to be set aside.

Learned Standing Counsel on the other hand submits that there is no illegality and infirmity in the order, as the order has been passed after following the proper procedure as prescribed under

the U.P. Panchayat Raj Act 1947 read with Rules of 1997. A proper enquiry has already been conducted by the competent authority as required by the relevant rules. He further submits that the detailed reason is not required while dealing with a reply. In support of his submission he has placed reliance upon the judgment passed in **Writ-C No. 20313 of 2023 Pintu Kumar Gupta Vs. State of U.P. and 3 others.**

In view of above, no interference is required and the writ petition is accordingly **dismissed**.

However, it is directed that in case, the petitioner moves a detailed reply within three weeks from today, the final enquiry may be completed within three months, thereafter, by means of reasoned and speaking order, in accordance with law. The petitioner is directed to co-operate in the enquiry.

**Order Date :- 16.10.2023**

Arti