

**Court No. - 36**

**Case :-** WRIT - A No. - 17229 of 2023

**Petitioner :-** Harish Chandra Chaudhary

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

**Counsel for Petitioner :-** Ram Lalit Chaudhary, Sakshi Patel

**Counsel for Respondent :-** C.S.C., Ashok Kumar Singh

**Hon'ble Manjive Shukla, J.**

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No.1 and 2 as well as Sri Ashok Kumar Singh, learned counsel appearing for the Respondents No.3 and 4.

2. Petitioner through this writ petition has challenged the order dated 11.9.2023 passed by the District Basic Education Officer, Basti, whereby petitioner's services have been placed under suspension.

3. The charge against the petitioner in the impugned suspension order is that petitioner has forwarded one objectionable message from his mobile to a Whatsapp group.

4. Learned counsel appearing for the petitioner has submitted that the said Whatsapp message did not originate from the mobile of the petitioner rather it was forwarded to him by somebody else and further his son due to inadvertent mistake forwarded it to a Whatsapp group of B.R.C., therefore for the inadvertent mistake committed by his son, petitioner cannot be penalized.

5. Sri Ashok Kumar Singh, learned counsel appearing for the Respondents No.3 and 4 has submitted that Charge Sheet has already been issued to the petitioner on 12.9.2023, to which petitioner has also submitted reply on 23.9.2023. Learned counsel appearing for the Respondents No.3 and 4 has further submitted that ends of justice would be served if a direction is issued to conclude the disciplinary proceedings pending against the petitioner, within a fixed time frame.

6. I have considered the submissions advanced by the learned counsels appearing for the parties and I find that after the suspension of the services of the petitioner, Charge Sheet has been issued, to which petitioner has also submitted his reply and the matter is pending at the end of the Inquiry Officer.

Since petitioner has already submitted his reply to the Charge Sheet, therefore it would be in the fitness of things that disciplinary authority be directed to conclude the disciplinary proceedings pending against the petitioner, within a fixed time frame.

7. In view of the aforesaid reasons, without interfering with the order of suspension dated 11.9.2023, this writ petition is finally disposed of with a direction to the District Basic Education Officer, Basti to conclude the entire disciplinary proceedings pending against the petitioner, within a period of three months from the date of presentation of certified copy of this order.

**Order Date :- 2.11.2023**

Salim