

Court No. - 36

Case :- WRIT - A No. - 18204 of 2023

Petitioner :- Ratnesh Pandey

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

Counsel for Petitioner :- Dharmendra Kumar Shukla

Counsel for Respondent :- C.S.C.,Akhilesh Kumar Sharma

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No. 1 & 2 and Sri Akhilesh Kumar Sharma, learned counsel appearing for the Respondent No. 3.

2. Petitioner through this writ petition has challenged the order dated 15.07.2023 passed by the District Basic Education Officer, Chandauli whereby services of the petitioner have been placed under suspension.

3. Learned counsel appearing for the petitioner has submitted that neither any fact finding enquiry was conducted before passing the order of suspension dated 15.07.2023 nor there are serious charges in the suspension order, therefore, the impugned suspension order dated 15.07.2023 is not sustainable in the eyes of law.

4. Sri Akhilesh Kumar Sharma, learned counsel appearing for the Respondent No. 3 has submitted that charge-sheet has already been issued on 25.10.2023 and has been served to the petitioner. He has produced a copy of the charge-sheet dated 25.10.2023 before this court.

5. I have perused the charge-sheet and I find that there are very serious charges against the petitioner.

6. I have considered the rival submissions advanced by learned counsels appearing for the parties and I find that there are very serious charges against the petitioner and further there is no requirement under law to conduct an inquiry before placing the services of the employee under suspension.

7. Looking into the gravity of the charges, this court does not find this case to be a fit case to interfere with the suspension order.

8. Accordingly, this writ petition is ***dismissed***.

Order Date :- 2.12.2023

A. Mandhani