

Court No. - 33

Case :- WRIT - A No. - 18930 of 2023

Petitioner :- Satendra Kumar

Respondent :- U.P. Power Corporation Limited and others

Counsel for Petitioner :- Prem Narayan Tiwari, Sanjiv Kumar Dwivedi

Counsel for Respondent :- Kartikeya Saran

Hon'ble J.J. Munir,J.

Heard Mr. Prem Narayan Tiwari, learned Counsel for the petitioner and Mr. Vinayak Ranjan, Advocate holding brief of Mr. Kartikeya Saran, learned Counsel for respondent Nos. 2, 3 and 4.

The petitioner has been suspended on charges of embezzlement etc. *vide* order dated 13.10.2021 and disciplinary proceedings are pending against him. The grievance of the petitioner is that suspension order was essentially bad, and if not bad essentially, with the passage of time, it has become bad. It has become bad, because the disciplinary proceedings have not been concluded so far.

Mr. Vinayak Ranjan states that inquiry proceedings shall be concluded within a month.

In the circumstances, it is ordered that inquiry proceedings shall be concluded within a month of date, and that means that not only the inquiry, but also the disciplinary proceedings shall be disposed of, passing whatever orders the respondents find just to pass. The petitioner shall be paid subsistence allowance at the enhanced rate, together with arrears, since the suspension has been protracted. The subsistence allowance shall be paid regularly, without asking

the petitioner to furnish a non-alternative engagement certificate.

It is further directed that the petitioner shall cooperate with the inquiry proceedings and not delay proceedings. In the event, the inquiry proceedings, including the entire disciplinary matter, are not decided within a period of one month, it will be open to the petitioner to approach this Court again, assailing his suspension on ground of delay.

The petition stands **disposed of** in terms of the orders aforesaid.

Order Date :- 12.12.2023

I. Batabyal