

Court No. - 34

Case :- WRIT - A No. - 19295 of 2023

Petitioner :- Hemant Kumar Sant

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

Counsel for Petitioner :- Siddharth Saran,Dheeraj Vishwakarma

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

1. Heard learned counsel for the parties.
2. Looking to the facts and circumstances of the case where the petitioner was admittedly working as Peshkar with the Sub Divisional Magistrate (SDM) wherein the order was uploaded, I do not find this case to be identical to one which can be given interim protection as was given to the review authorities who had conducted measurement on the spot under the order of the SDM.
3. In such view of the matter, therefore, I decline to interfere with the order of suspension. However, it is hereby provided that the respondents will be issuing necessary charge-sheet to the petitioner within four weeks from today, if already not issued; petitioner would be submitting reply thereto within further period of four weeks. The departmental inquiry shall be concluded with due participation of the petitioner within a further period of thirty days and thereafter disciplinary proceedings as per the findings of the departmental inquiry be concluded within next two months' time following the procedure prescribed for.
4. It is expected that petitioner shall be co-operating in every stage be departmental inquiry or disciplinary proceedings and in the event, despite due co-operation of the petitioner, the departmental inquiry or the disciplinary proceedings is not concluded as directed hereinabove, within time prescribed for, the order of suspension of the petitioner shall stand revoked.
5. With the aforesaid observations and directions, this petition stands disposed of.

Order Date :- 22.11.2023

P Kesari