

Court No. - 34

Case :- WRIT - A No. - 20200 of 2023

Petitioner :- Abhay Kumar Singh

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

Counsel for Petitioner :- Piyush Patel, Pradeep Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

By means of present petition filed under Article 226 of the Constitution, petitioner has questioned the suspension order dated 21st March, 2023 on the ground that enquiry is being delayed for no justifiable reason.

It is submitted that reply on behalf the petitioner to chargesheet has been submitted on 16.6.2023, however, said document filed alongwith writ petition does not show either date or signatures of the petitioner, nor service is disclosed .

In view of above, admittedly since petitioner has received chargesheet and so in the event he has not submitted detailed reply, the same shall be submitted by the petitioner within a period of four weeks from today. The departmental enquiry in all circumstances be concluded within a month of submission of reply of the petitioner. In the event reply has already been submitted, the enquiry will be concluded within one month's time from today. The petitioner shall be cooperating with the departmental enquiry. Thereafter departmental proceedings shall also be concluded within next one month following the procedure prescribed for under the relevant rules. It has also provided that in the event departmental proceeding is not concluded as directed hereinabove, since petitioner has remained under suspension, his suspension shall be stand revoked. The petitioner shall, however, be entitled to subsistence allowance for the period he remains under suspension. Petitioner shall be cooperating with enquiry and disciplinary proceeding though out.

With these aforesaid observations and directions, this petition stands disposed of.

Order Date :- 6.12.2023

Sanjeev