

Court No. - 8

Case :- WRIT - A No. - 4123 of 2023

Petitioner :- Yug Vijay Singh Bisht

Respondent :- State Of U.P. Thru. Commissioner, Commercial Tax U.P.
Commercial Tax Head Office Lko. And 4 Others

Counsel for Petitioner :- Piyush Asthana

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh, J.

1. Heard Shri Piyush Asthana, learned counsel for the petitioner and Shri Sandeep Sharma, learned Standing Counsel appearing for the State-respondents.
2. The present petition under Article 226 of the Constitution of India has been filed impugning the suspension order dated 08.09.2022 as well as direction for payment of subsistence allowance to the petitioner which has allegedly not been paid to him since March, 2023.
3. Shri Sandeep Sharma, learned Standing Counsel for the State-respondents submits that enquiry report has been submitted to the disciplinary authority and the petitioner has been issued a show cause notice in respect of the proposed punishment to be awarded to the petitioner. However, the petitioner has not filed a reply to the said show cause notice and he himself is causing delay in early conclusion of the departmental proceedings. He also submits that if the petitioner submits reply to the show cause notice, the disciplinary authority will conclude the enquiry and pass an order on the departmental proceedings initiated against the petitioner.
4. Shri Piyush Asthana, learned Counsel for the petitioner submits that the petitioner will file a reply to the said show cause notice within a period of ten days' from today.
5. Let the petitioner files a reply within a period of ten days' from today. Once the petitioner submits a reply to the said show cause notice, the disciplinary authority should take final decision on the departmental proceedings within a period of one month thereafter, in accordance with law. It is further directed that the petitioner should be paid subsistence allowance, which has not been paid to him and will be regularly paid the same, till the conclusion of the departmental proceedings.
6. With the aforesaid observations/directions, the present petition stands finally **disposed of**.

(Dinesh Kumar Singh, J.)

Order Date :- 30.5.2023

Piyush/-