

Court No. - 8

Case :- WRIT - A No. - 10536 of 2019

Petitioner :- Suraj Lal

Respondent :- State Of U.P. Thru Prin.Secy. Home Lucknow And Ors.

Counsel for Petitioner :- B.R. Singh, Devang Singh, Devashish Bhatt, Mukesh Kumar, Poonam Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh, J.

1. Heard learned counsel for the petitioner and Shri Jogendra Nath Verma, learned Standing Counsel appearing for the State-respondents.

2. The present petition has been instituted by the petitioner under Article 226 of the Constitution of India aggrieved by the order dated 15.01.2019 passed by the District Magistrate, Ayodhya dispensing the services of the petitioner as Chowkidar of Village Panchayat Sithauli, Police Station-Patranga, District-Ayodhya.

3. The petitioner was appointed as Chowkidar (Gram Praharee) of Village-Bulbulpur vide order dated 11.04.2012 passed by the District Magistrate, Ayodhya. The petitioner during his employment has indulged in three criminal activities for which he has been challaned under Section 151, 107 and 166 Cr.P.C. and an F.I.R. at Case Crime No.100 of 2014 under Section 323 and 504 I.P.C. came to be registered against the petitioner. Again on 15.02.2017, the petitioner was challaned under Section 151, 107 and 116 Cr.P.C. The village pradhan of Village-Sithauli, Police Station-Patranga, District-Ayodhya had given a written complaint regarding conduct and misbehavior of the petitioner to the District Magistrate, Ayodhya. The said complaint was directed to be inquired by the Senior Superintendent of Police who turned the Circle Officer- Rudauli to conduct the said inquiry. The Circle Officer-Rudauli conducted the said inquiry and recorded the statement of the complainant and few other villagers who had fully supported the allegations of misconduct and misbehavior of the petitioner. The Senior Superintendent of Police, Ayodhya submitted the said inquiry report to the District Magistrate, Ayodhya, who after considering the conduct and behavior of the petitioner has dismissed him from service.

4. Looking at the detailed impugned order passed by the District Magistrate, Ayodhya, and the fact that the petitioner is working on fixed remuneration, he does not hold any substantive post. The petitioner is expected to behave properly and his conduct should not

be of criminal nature.

5. Considering the aforesaid, I do not find any illegality in the impugned order which requires an interference of this Court.

6. In view thereof, the present petition is hereby **dismissed**.

(Dinesh Kumar Singh, J.)

Order Date :- 6.7.2023

Piyush/-