

Court No. - 8

Case :- WRIT - A No. - 4667 of 2023

Petitioner :- Kumar Chandra Babu

Respondent :- State Of U.P. Thru. Chief Secy. Lko And 7 Others

Counsel for Petitioner :- Pushpendra Mishra, Vinay Kumar Yadav, Vinay Shankar Pandey, Yogendra Mishra

Counsel for Respondent :- C.S.C., Om Prakash Srivastava

Hon'ble Dinesh Kumar Singh, J.

1. Heard Mr. Yogendra Mishra, learned counsel for the petitioner, as well as Mr. Vikas Singh, learned Standing Counsel for the respondents-State Authorities.

2. This petition under Article 226 of the Constitution of India has been filed for a direction from this Court to the respondents to take a decision on application of the petitioner dated 27.05.2023 for changing the present inquiry officer i.e. Divisional Commissioner, Agra Division, Mr. Amit Gupta.

3. The petitioner was posted as Sub-Divisional-Magistrate, Firozabad; a local MLA made a complaint against the petitioner with allegation that the petitioner had not considered 3067 applications for inclusion of names in the electoral roll, and rejected the same; after preliminary inquiry got included, the Divisional Commissioner, Agra Division was appointed as inquiry officer vide order dated 13.10.2021; after around two years, the petitioner had moved the application dated 27.05.2023 for changing the inquiry officer, and the ground, which has been taken in the application, is that the inquiry officer is under influence of the local MLA.

4. The allegation appears to be without any basis. There is no evidence, which has been annexed with the application in support of the allegation regarding the inquiry officer acting under influence of the local MLA. I find no ground to direct the State Government to consider the application in question. However, the inquiry officer, Divisional Commissioner, Agra Division, is directed to conclude the inquiry expeditiously, in a fair and impartial manner, in accordance with law, without being influenced from anyone.

5. DISPOSED OF.

[D.K. SINGH, J.]

Order Date :- 6.7.2023

MVS/-