

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 630 of 2023

Petitioner :- Brijesh Kumar

Respondent :- State Of U.P. Thru. Secy. Panchayati Raj Govt. Lko And 6 Others

Counsel for Petitioner :- Durgesh Mishra

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Jaspreet Singh, J.

Heard Shri Durgesh Mishra, learned counsel for the petitioner, Shri Pankaj Gupta, learned counsel for the respondent No.6 and Shri V.P. Nag, learned standing counsel for the State-respondents.

By means of the instant petition, filed in the nature of public interest litigation, the petitioner seeks relief in the nature of mandamus commanding the respondents No.2 to 5 to get an enquiry conducted against the irregularities and embezzlement committed by the respondent No.7

It is submitted that the respondent No.7 is an Ex-Village Pradhan and while during her tenure a large sum was allotted for the purposes of disbursement for creation of toilets, yet by committing irregularities and by including the names of persons who had died were introduced in the list and in a systemic fashion embezzlement of the public fund was made. It is also stated in the petition that an enquiry was initiated in the year 2019, however, no final result has surfaced.

At this stage, learned standing counsel, on the basis of instructions, submits that the enquiry is still under way as the initial enquiry which was initiated in the year 2019 could not be concluded and now a fresh enquiry has been ordered which in all earnestness will be completed soon.

Considering the facts and circumstances and the stand taken by the State, we are not inclined to entertain the aforesaid petition. However, a direction is issued to the State to conclude the enquiry in a time bound fashion, most expeditiously, say within a period of three months from the date a certified copy of this order is placed before the authority concerned.

It is also made clear that the Court has not expressed any opinion on the merits of the case and the authority concerned shall conclude the enquiry strictly in accordance with law.

With the aforesaid, the petition is disposed of.

Order Date :- 17.7.2023

Rakesh/-

(Jaspreet Singh, J.) (Pritinker Diwaker, C.J.)