

Court No. - 7

Case :- WRIT - A No. - 9757 of 2018

Petitioner :- Hargovind Singh And 10 Ors.

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

Counsel for Petitioner :- Rajendra Pratap Singh,Surendra Pratap Singh

Counsel for Respondent :- C.S.C.,J.B.S. Rathore,S.K. Singh,Sanjay Kumar Singh

and

Case :- WRIT - A No. - 9853 of 2018

Petitioner :- Om Prakash Pal And 11 Ors.

Respondent :- State Of U.P.Thru.Prin.Secy.Basic Edu.Deptt.Civil Sectt.Andors

Counsel for Petitioner :- Surendra Pratap Singh,Rajendra Pratap Singh

Counsel for Respondent :- C.S.C.,J.B.S. Rathore,Sanjay Kumar Singh,Shailendra Singh Rajawat

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioners, learned Standing counsel appearing on behalf of the respondents no. 1 & 2 and Sri Shailendra Singh Rajawat, learned counsel appearing on behalf of the respondents no. 3 & 4.

2. Sri Sanjay Kumar Singh, Advocate has put in appearance by contending that he has filed an application for impleadment.

3. With the consent of learned counsel appearing on behalf of the contesting parties, the instant writ petition is being disposed of.

4. Both the aforesaid writ petitions raising common questions of law and facts, have been heard together and are being decided by this common judgment. For deciding both the writ petitions, the facts of Writ-A No.9757of 2018 are being noted and the said writ petition is treated as leading writ petition.

5. The contention of learned counsel for the petitioners is that by means of order dated 20.03.2018 passed by the respondent no. 3 i.e District Basic Education Officer, Sultanpur, a copy of which is annexure 1 to the writ petition, the competent authority has indicated that as an inquiry by a three members committee is proposed to be held against the petitioner as such, no revised pay is to be paid to the petitioner.

6. It is submitted that the said inquiry is still on going as per the averment made in the counter affidavit filed by the respondents no. 3 & 4 and it is prayed that the said inquiry be concluded expeditiously and final order with regard to payment of the correct salary of the petitioner be passed in accordance with law.

7. To the aforesaid proposition, learned Standing counsel appearing on behalf of the respondents no. 1 & 2 and Sri Shailendra Singh Rajawat, learned counsel appearing on behalf of the respondents no. 3 & 4 have no objection.

8. Accordingly, considering that by means of order impugned dated 20.03.2018, it had been indicated by the respondent no. 3 that a three member committee has been constituted and as per the averments made in the counter affidavit, the said inquiry is still on going as such, the present petition is disposed of requiring the competent authority to conclude the on going inquiry, if already not concluded and to pass orders with regard to the grievance of the petitioner in accordance with law after hearing all the parties concerned within a period of eight weeks from the date of receipt of a certified copy of this order.

9. It is also provided that in case subsequent orders are passed with which the petitioners are aggrieved it would also be open for them to approach this Court or any other competent Court for the redressal of their grievances.

Order Date :- 30.11.2023
Pachhere/-