

Court No. - 20

Case :- WRIT - A No. - 7007 of 2023

Petitioner :- Akhilesh Kumar Shukla

Respondent :- State Of U.P. Thru. Secy. Basic Education Deptt. And 4 Others

Counsel for Petitioner :- Ramesh Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel for opposite parties.
2. Supplementary counter affidavit and rejoinder affidavits to short counter affidavit filed today are taken on record.
3. Petition has been filed challenging order dated 02.05.2023 whereby petitioner has been suspended from service pending disciplinary proceedings.
4. It has been submitted that earlier first information report was lodged against petitioner as Case Crime no.1159 of 2018 under Sections 419, 420, 467, 468, 471, 406, 413, 120 B I.P.C., levelling allegations against petitioner of having embezzled from the funds pertaining to mid-day-meal. It is submitted that subsequently, petitioner was convicted in trial resulting there from, against which Appeal has been preferred before this Court in which sentence has been suspended but appeal is yet pending consideration.
5. It is also submitted that in the meantime a charge sheet pertaining to departmental enquiry has also been issued on 10.10.2023 for which approval has been granted on 10.10.2023 itself. It has been further submitted that reply to aforesaid charge sheet has already been filed by petitioner.
6. Considering aforesaid facts and circumstance and the grave

nature of allegations levelled against petitioner, it is directed that since petitioner has already submitted his reply to charge sheet, enquiry proceedings shall be concluded expeditiously, preferably within a period of four months from the date a certified copy of this order is produced before authority concerned subject to petitioner's cooperation.

7. With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 17.11.2023

kvg/-