

Court No. - 17

Case :- WRIT - C No. - 7986 of 2023

Petitioner :- Irfan

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayat Raj
Lko. And 3 Others

Counsel for Petitioner :- Aman Kumar Shrivastav

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Alok Mathur, J.

Heard Shri Aman Kumar Srivastava, learned counsel for the petitioner and the learned Standing Counsel for the respondents.

By means of the present writ petition petitioner has prayed for direction to the opposite parties to take necessary action regarding grievance of the petitioner raised in his application dated 01.8.2023 with regard to the inquiry against the village panchayat Sarya Kalan, Block Isha Nagar, Tahsil Dharahara, District Kheri.

It has been submitted that the petitioner had levelled several allegations against the Gram Pradhan and the members of the village Panchayat on 01.8.2023. The said complaint was made to the District Magistrate Lakhimpur Kheri but it is stated that no action has been taken by him till date.

Learned counsel for the petitioner has relied upon provisions of U.P. Panchayati Raj (Removal of Pradhans, Up Pradhans and Members) Enquiry Rules, 1997 where detailed procedure has been prescribed in the Rule 3.

It is provided that every complaint and affidavit under this Rule as well as schedule or annexure thereto shall be verified in the manner laid down in CPC for verification of pleadings and affidavits respectively.

It has been submitted that despite provisions have been made in the Rules of 1997, no action has been taken by the respondents, and accordingly, a prayer has been made for a direction to the respondents to take necessary action on the application of the petitioner after making fair and proper inquiry.

Learned Standing Counsel, on the basis of instructions, has submitted that the complaint of the petitioner was duly received by the District Magistrate, Lakhimpur Kheri and consequently,

a preliminary inquiry has been ordered and the District Programme Officer, Lakhimpur Kheri has been nominated as the Inquiry Officer. The said Inquiry Officer has conducted the inquiry and submitted a report within 15 days. A copy of the said letter has also been provided to the learned counsel for the petitioner.

Considering the fact that the cognizance/complaint made by the petitioner has already been taken by the authorities and a preliminary inquiry has already been ordered, this Court is satisfied that the respondents are proceeding in accordance with U.P. Panchayati Raj (Removal of Pradhans, Up Pradhans and Members) Enquiry Rules, 1997.

Accordingly, it is expected that once the preliminary inquiry report is received, the respondents shall proceed further in accordance with the Rules of 1997 and conclude the proceedings expeditiously.

In light of the above observations, this petition stands **disposed of**.

(Alok Mathur,J.)

Order Date :- 17.10.2023
Shravan