

Court No. - 7

Case :- WRIT - A No. - 7572 of 2023

Petitioner :- Mahesh Prasad

Respondent :- State Of U.P. Thru. Its Prin. Secy. Deptt. Of Transport, Lko. And 5 Others

Counsel for Petitioner :- Pradeep Kumar Tiwari

Counsel for Respondent :- C.S.C.,Prabhakar Tiwari

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the respondent no.1 and Sri Prabhakar Tiwari, learned counsel for respondents no.2 to 6.
2. With the consent of learned counsel for the parties the writ petition is being finally decided.
3. Under challenge is the suspension order dated 13.08.2023, a copy of which is Annexure-1 to the writ petition.
4. Sri Prabhakar Tiwari, learned counsel for respondents, states that the charge sheet has already been issued to the petitioner on 17.08.2023 and Inquiry Officer has also been appointed.
5. Considering the aforesaid, the writ petition is **disposed of**. It is provided that the petitioner shall submit his reply to the charge sheet within two weeks from today and the Inquiry Officer shall finalize the inquiry proceedings after due opportunity of hearing to the petitioner within a period of next six weeks and the Disciplinary Authority shall pass a final order thereafter.
6. Needless to mention that the petitioner shall cooperate in the inquiry proceedings and he shall also be given due opportunity of hearing in the said inquiry proceedings. In case the petitioner does not cooperate, the Inquiry Officer would be at liberty to inform the petitioner in writing about his non-cooperation and the period of non-cooperation would be excluded from the aforesaid period.
7. It is also provided that in case the disciplinary proceedings

are not concluded and and a final order is not passed within aforesaid period then the impugned suspension order dated 13.08.2023 shall stand revoked automatically without prejudice to the respondents of continuing with the inquiry proceedings.

Order Date :- 10.10.2023

A. Katiyar