

Court No. - 20

Case :- WRIT - A No. - 7724 of 2023

Petitioner :- Amit Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, Lko. And 3 Others

Counsel for Petitioner :- Anil Kumar Mishra

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. Petition has been filed challenging order dated 06.08.2022 whereby petitioner has been suspended from service pending disciplinary proceedings.
3. It has been submitted that pursuant to the suspension order, petitioner was provided a charge sheet dated 22.08.2022 indicating three charges levelled against him. It is submitted that despite petitioner having submitted his reply to charge sheet, proceedings are still pending consideration despite passing of one year. It is submitted that even subsistence allowance has not been provided to petitioner.
4. It is also submitted that even otherwise a perusal of impugned suspension order will make it evident that allegation only with regard to negligence in duties has been attributed to petitioner which may entail only a minor penalty and therefore also impugned order is against the provisions of Rule 4 of Uttar Pradesh Government Servant (Discipline & Appeal) Rules, 1999. (hereinafter referred to as the Rules of 1999)
5. Considering aforesaid facts and particularly the fact that disciplinary proceedings are pending consideration for past one year, opposite parties are directed to conclude the disciplinary proceedings initiated by means of charge sheet dated

22.08.2022 expeditiously within a period of two months from the date a certified copy of this order is produced before authority concerned. It is provided that in case proceedings are not concluded within aforesaid time frame, impugned suspension order dated 06.08.2022 shall stand automatically revoked.

6. Opposite parties are directed to provide arrears of subsistence allowance to petitioner.

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

Order Date :- 10.10.2023

kvg/-