

**Court No. - 20**

**Case :-** WRIT - A No. - 7753 of 2023

**Petitioner :-** Sunita Devendra @ Sunita Kureel

**Respondent :-** State Of U.P. Thru. Prin. Secy. Sectt. Administration Govt. U.P. Lucknow And Another

**Counsel for Petitioner :-** Santosh Kr. Yadav Warsi

**Counsel for Respondent :-** C.S.C.

**Hon'ble Manish Mathur,J.**

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.
2. Petition has been filed quashing order dated 24.04.2023 and further for revocation/ modification of Office Memorandum dated 01.05.2023 in the light of Government Order dated 06.09.2000 and office order dated 14.09.2022. Further prayer for a direction to reinstatement of petitioner in service have also been made.
3. It has been submitted that earlier while petitioner was working as Private Secretary Class-I with the opposite parties, criminal Proceedings were initiated against her in case crime no.334 of 2018, under Sections 364, 302 and 201 IPC due to which petitioner was incarcerated but upon her enlargement on bail, was reinstated in service vide order dated 26.04.2019. Subsequently vide order dated 19.09.2022, disciplinary proceedings initiated against petitioner were kept in abeyance pending final adjudication of criminal proceedings.
4. It is submitted that in the meantime charge-sheet was filed in the criminal proceedings whereunder certain sections imputed against petitioner were removed and other sections were added due to which petitioner was again incarcerated and was subsequently enlarged on bail 19.04.2023 but by means of impugned order, petitioner reinstatement has been continued under suspension.
5. It is submitted that once with regard to same aspects, petitioner was reinstated in service by means of order dated 26.04.2019, there was no occasion for opposite parties to have passed the present order continuing her under suspension without any particular change in the circumstances.
6. With regard to aforesaid grievance, petitioner has already submitted a representation dated 11.05.2023. At present learned counsel for petitioner restricts his prayer for a final decision

with regard to same.

7. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case, opposite party No.1 i.e Principal Secretary Secretariat Administration Government of U.P. Civil Secretariat, Lucknow is directed to consider and decide representation dated 11.05.2023 in the light of Government Order dated 06.09.2000 and office order dated 14.09.2022 within a period of six weeks from the date a certified copy of this order is produced before said authority.

8. With the aforesaid observation, petition stands **disposed of**.

**Order Date :- 10.10.2023**

Subodh/-