

Court No. - 17

Case :- WRIT - C No. - 8775 of 2023

Petitioner :- Sanjay Mishra

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayati Raj U.P. Lko.
And 4 Others

Counsel for Petitioner :- J.P. Shukla

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Alok Mathur,J.

1. Heard Sri J. P. Shukla, learned counsel for the petitioner as well as learned Standing counsel on behalf of respondent Nos. 1, 2 and 3.

2. In view of the order proposed to be passed there is no need to issue notice to the private respondents.

3. It has been submitted by learned counsel for the petitioner that the petitioner is a resident of Village Panchayat Andaraipur, Pargana Aldemau, Tehsil Kadipur, District Sultanpur and has made several representations to District Magistrate, Sultanpur levelling serious allegations against the Gram Pradhan of the said Village for misappropriating public fund under various schemes, extorting money by abusing his position and helping illegal occupants/encroachers upon gram sabha land. He submits that despite repeated complaints to the authorities concerned no action has been taken by them and no inquiry has been instituted under the provisions of U.P. Panchayat Raj (Removal of Pradhans, Up-Pradhans and Members) Inquiry Rules, 1997. It is in aforesaid circumstances that prayer was made for a direction to opposite party no.2 i.e. District Magistrate, Sultanpur to initiate inquiry against the Pradhan of the said Village.

4. Learned Standing counsel, on the basis of written instructions received from Panchayat Raj Officer, Sultanpur, has submitted that the complaints submitted by the petitioner dated 6.9.2023 and 11.9.2023 have been received in the office of the District Magistrate. It is further submitted that there are certain deficiencies in the said complaints which is not in accordance with the Rules of 1997 and the regulations framed thereunder and also that in this regard the petitioner has been informed by telephone as well as by registered letter sent on 25.9.2023 asking him to remove the said infirmities so that proceedings can be conducted in accordance with law against the Gram Pradhan. It has been further recorded that there is no compliance of Rules 3 (2), 3(3) and 3(4) of the Rules of 1997

and various documents and affidavits have not been found to be enclosed along with the said complaint and accordingly the petitioner has been asked to remove the said deficiencies.

5. Copy of the instructions has also been provided to learned counsel for the petitioner who submits that the petitioner would remove the said deficiencies within one week from today.

6. In case the petitioner removes the deficiencies as pointed out by the respondents, then respondent No.2 is directed to expedite the said matter and complete the process, expeditiously, in accordance with law.

7. With aforesaid observations and directions the petition stands **disposed of.**

(Alok Mathur, J.)

Order Date :- 11.10.2023
RKM.