

Court No. - 17

Case :- WRIT - C No. - 9143 of 2023

Petitioner :- Satguru

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayatiraj
Deptt. Govt. Civil Sectr. Lko. And 5 Others

Counsel for Petitioner :- Syed Ahmad Jamal, Nouphil Ahmad

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

Hon'ble Alok Mathur, J.

1. Heard Sri Nouphil, learned counsel for petitioner as well as learned Standing Counsel for respondents.

2. It has been submitted by learned counsel for petitioner that the petitioner had authored a complain against the elected gram pradhan of Gram Sabha Muradpur, Block and Tehsil Safipur, District Unnao stating that the petitioner being a beneficiary of the Pradhanmantri Avas Yojna, the pradhan had sought illegal gratification from the petitioner for grant of the said benefits and the said allegation was made to various authorities.

3. It has further been stated that despite giving the said complaints, respondents ought to have initiated an inquiry but no inquiry as contemplated in the rules have been initiated by the District Magistrate. It is in the aforesaid circumstances, a prayer has been made for a direction to the respondents for initiating and concluding the inquiry as per the provisions of U.P. Panchayati Raj (Removal of Pradhan, U.p-Pradhan and members) Inquiry Rules, 1997 against respondent No. 5.

4. Learned Standing Counsel on the other hand has informed this Court on the basis of instructions that the complaint submitted by the petitioner was duly inquired into by the Block Development Officer, Safipur who submitted his report to the competent authority. On the basis of his report, District Panchayatiraj Officer had issued a show cause notice on 03.07.2023 seeking a response of the gram pradhan and the gram pradhan in turn has responded to the show cause notice which is under consideration of the competent authority.

5. It is stated that the matter is pending at the level of Chief Development Officer Unnao. It is further noticed that by means of letter dated 30.08.2023 the said developments have already been intimated to the petitioner where it is indicated that a show cause notice has already been given to the gram pradhan who

has in turn submitted his reply.

6. Despite being in knowledge of the said facts, the petitioner has stated that no action has been taken on his complaint which averment in the writ petition is clearly false and contrary to the records and material which are in knowledge of the petitioner.

7. Considering the fact that the complaint of the petitioner has been duly inquired into and the proceedings are pending before the competent authority, no interference under Article 226 is required by this court at this stage of the proceedings and no such circumstances exists for interference. The writ petition is devoid of merits and is accordingly dismissed.

(Alok Mathur, J.)

Order Date :- 18.10.2023

Ravi/