

Court No. - 20

Case :- WRIT - A No. - 8475 of 2023

Petitioner :- Prasoon Raj

Respondent :- State Of U.P. Thru. Prin. Secy. Rural Development Lko.
And Others

Counsel for Petitioner :- Ankur Pandey, Ajay Kumar Pandey

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 14.10.2023 whereby first information report has been directed to be lodged against petitioner finding him prima facie guilty of allegations levelled against him as per enquiry report dated 13.10.2023.
3. It has been submitted that impugned order is against the Government Order dated 26.04.2010 whereby it has been directed that prior to lodging of any F.I.R. against a Government official, a departmental enquiry is required to be conducted.
4. Learned State Counsel on the basis of instructions however submits that in pursuance of impugned order, a first information report has already been lodged bearing Case Crime No.906 of 2023 under Section 409 I.P.C. in Police Station Kotwali Nagar, District Gonda.
5. Upon consideration of submissions advanced by learned counsel for the parties and perusal of material on record, it is quite evident that impugned order has already been complied with by lodging of first information report and therefore nothing more requires to be adjudicated upon in this petition since criminal proceedings are a separate cause of action and petitioner will have ample opportunity to participate in the same

or challenge the first information report.

6. Considering aforesaid facts, the petition Is finally **disposed of**.

Order Date :- 1.11.2023

kvg/-