

**Chief Justice's Court**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 910 of 2022

**Petitioner :-** Surjeet Yadav

**Respondent :-** State Of U.P. Thru. Prin. Secy. Panchyat Raj  
Civil Sectr. Govt. Of U.P. Lko. And Others

**Counsel for Petitioner :-** Mohd. Ateeq Khan

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

**Hon'ble Pritinker Diwaker,Chief Justice**

**Hon'ble Rajan Roy,J.**

Heard.

The petitioner herein has prayed for a writ of Mandamus inter alia commanding the opposite parties no. 3 to 5 to take appropriate action against the Secretary and Gram Pradhan of Gram Panchayat Sangrampur, Tiloi, Bazarshukul and Jagdishpur, District - Amethi and also directing the opposite parties no. 6 & 7 to get an inquiry conducted in the matter.

The contention of the petitioner's Counsel is that an inquiry committee was constituted by the Chief Development Officer vide order dated 30.07.2022 but till date the result of the inquiry is not known. The allegation is of misappropriation of some money by the Secretary and the Gram Pradhan.

Learned Standing Counsel submits that there are rules known as U.P. Panchayat Raj (Removal Of Pradhans, Up-Pradhans, Member) Rules, 1997 and the petitioner can move a complaint under Rule 3 of the said rules so far as the Gram Pradhan is concerned, if there is a cause. He also refers to Section 27 of the U.P. Panchayat Raj Act, 1947 in this regard, so does the petitioner's Counsel. As regards the Secretary is concerned, learned Standing Counsel informs that he is a Government Servant, if it is so, then the petitioner can approach the supervising authority raising a complaint against him, if there is a cause.

Considering the facts of the case, if any inquiry committee was constituted by the Chief Development Officer on 30.07.2022, as appears to be the case on a reading of Annexure - 5 to the petition, then it shall ensure that the inquiry is completed at the earliest and whatever decision / action is required against the concerned officials, if any, the same shall be taken promptly. If

in spite of it, the petitioner is aggrieved, then he may move a formal complaint under Rule 3 of the aforesaid Rules, 1997 or move a fresh application, if otherwise maintainable, under Section 27 of the U.P. Panchayat Raj Act, 1947. If any such applications are moved, appropriate decision shall be taken in accordance with law at the earliest.

We have not entered into nor adjudicated the merits of the allegation made by the petitioner against the concerned Secretary and the Gram Pradhan.

The Public Interest Litigation is **disposed of** in aforesaid terms.

**Order Date :-** 19.5.2023

Lokesh Kumar

**[Rajan Roy, J.]      [Pritinker Diwaker, CJ.]**