

Court No. - 7

Case :- WRIT - A No. - 8633 of 2023

Petitioner :- Ved Prakash Trivedi

Respondent :- State Of U.P. Thru. Prin. Secy. Urban Development Lko. And 3 Others

Counsel for Petitioner :- Priyam Kumar Singh, Vikas Kumar Agrawal

Counsel for Respondent :- C.S.C., Prem Prakash Singh

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, learned Standing counsel appearing on behalf of the State-respondents and Sri Prem Prakash Singh, learned counsel appearing on behalf of the respondents no. 3 & 4.
2. Under challenge is the suspension order dated 23.09.2022 as modified vide order dated 27.09.2022, copies of which have cumulatively been filed as annexure 1 to the writ petition.
3. A perusal of the order impugned would indicate that on account of carelessness on the part of the petitioner in not updating the cash book, a contractual employee has managed to embezzle approximately 40 lacs. Thus, prima facie perusal of the suspension order would indicate that there are serious charges against the petitioner.
4. Learned counsel for the petitioner states that the charge sheet has only been served on the petitioner on 18.04.2023 to which he has submitted his reply on 01.07.2023. However, certain documents which are required by the petitioner for submission of his defence have still not been made available to him.
5. Be that as it may, the fact of the matter remains that once the petitioner has already submitted his reply on 01.07.2023, the inquiry officer was required to finalize the inquiry within a specified time.
6. Considering the aforesaid, the writ petition is disposed of with the direction to the inquiry officer to finalize the inquiry proceedings against the petitioner in accordance with law and the relevant rules within a period of four weeks from the date of receipt of a certified copy of this order. Thereafter, copy of the

inquiry report would also be served upon the petitioner within the next two weeks to which the petitioner may submit his reply within a week thereafter. The disciplinary authority shall thereafter proceed to pass a final in accordance with law and the rules within next four weeks of the petitioner submitting his reply.

7. Needless to mention that the petitioner shall cooperate in the inquiry proceedings and in case the petitioner does not cooperate, the Inquiry Officer would be at liberty to inform the petitioner in writing about his non-cooperation and the period of non-cooperation would be excluded from the aforesaid period.

8. In case, the inquiry is not completed within the aforesaid time period then the impugned suspension orders dated 23.09.2022 as modified on 27.09.2022 shall stand automatically revoked.

Order Date :- 6.11.2023

Pachhere/-