

Court No. - 8

Case :- WRIT - A No. - 9277 of 2023

Petitioner :- Ravendra Kumar Srivastava

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Panchayati Raj Lko And 5 Others

Counsel for Petitioner :- Lakshmana Singh

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Bhatia,J.

1. The present petition has been filed challenging the order dated 16.10.2023 (Annexure-1 to the writ petition) passed by the respondent no.6, whereby an order of recovery has been passed against the petitioner, who was the technical assistant.

2. The contention of the Counsel for the petitioner is that an expropriately order has been passed without giving any opportunity of hearing and without ascertaining the guilty of the petitioner.

3. On the face of it, the order does not demonstrate that any opportunity of hearing was given to the petitioner prior to passing of the said order, even otherwise, the same order against one namely, Chhedi Lal, the then Pradhan was challenged in Writ-C No.10227 of 2023 and the said writ petition was allowed vide order dated 22.11.2023 quashing the order dated 16.10.2023 with liberty to pass a fresh order, in accordance with law. Thus, following the said order dated 22.11.2023, the order dated 16.10.2023, insofar as it relates to the petitioner is also quashed giving liberty to the respondents to pass a fresh order, in accordance with law.

4. In view of above, the writ petition is ***allowed***.

Order Date :- 5.12.2023

akverma