



2025:UHC:5658-DB

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. G. NARENDAR
AND
THE HON'BLE JUSTICE MR. ALOK MAHRA

Writ Petition (S/B) No.261 of 2025

3rd July, 2025

Shashikant Arya

--Petitioner

Versus

State of Uttarakhand and Others

--Respondents

Presence:-

Mr. Bhupesh Kandpal, learned counsel for the petitioner.

Ms. Rajni Supyal Latwal, learned Brief Holder for the State.

JUDGMENT: (per Mr. Alok Mahra, J.)

Heard learned counsel for the petitioner and
learned Brief Holder for the State.

2. By means of this writ petition, petitioner has
challenged the charge sheet dated 14.08.2023
(*Annexure No.6 to the writ petition*) issued to the
petitioner by respondent no.2. Further prayer has been
made to quash all the proceedings pending against him
pursuant to the impugned charge sheet.



3. Petitioner has challenged the charge sheet dated 14.08.2023, whereby six charges were framed against him. It is submitted by the learned counsel for the petitioner that, without any cogent evidence, impugned charge sheet has been issued; that, charges relate to discharge of his quasi judicial authority, while passing the order under Section 30 of the VAT Act; that, the petitioner has pointed out the revenue loss/evasion of the tax by the assessee and the order passed by the petitioner is completely in favour of the revenue, but in order of discharging his quasi judicial duties, a frivolous allegation has been leveled against the petitioner in order to protect the assessee and, therefore, the charge sheet is completely devoid of merits and is liable to be quashed.

4. Learned counsel for the petitioner submits that, due to pendency of the enquiry, petitioner's case for promotion is not being considered by the Departmental Promotion Committee; that petitioner have filed his reply to the charge sheet and, after considering the reply of the petitioner, Inquiry Officer was appointed on 19.03.2024 and, as per the averments made by the petitioner, the Inquiry Officer submitted his



report to the Disciplinary Authority; that after receiving the Inquiry Report, the Disciplinary Authority supplied the said Inquiry Report to the petitioner, asking him to submit his objection/representation against the Inquiry Report; that petitioner submitted his objection/representation against the Inquiry Report, on 20.08.2024.

5. The contention of the petitioner is that even though he has submitted his objection/representation to the Inquiry Report on 20.08.2024, but the Disciplinary Authority is sitting tight over the matter and has not passed any orders in pursuance to the said Inquiry Report.

6. It is admitted case of the parties that petitioner has sent his objection/representation against the Inquiry Report on 20.08.2024 and no decision/ order has been passed by Disciplinary Authority till date.

7. A considerable period of about ten months' have gone by since filing of the objection/representation by the petitioner, therefore, this Court thinks that ends of justice would be met, if Disciplinary Authority is directed to pass final orders in respect of the inquiry



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initiated against the petitioner, pursuant to charge sheet dated 14.08.2023, within some stipulated time frame.

8. Accordingly, the writ petition is disposed of with a direction to respondent no.2 to pass final orders in respect of the inquiry initiated against the petitioner, pursuant to charge sheet dated 14.08.2023, within a period of three weeks' from the date of production of certified copy of this order.

(G. NARENDAR, C. J.)

(ALOK MAHRA, J.)

Dated: 03.07.2025
BS

BALWANT
SINGH

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