



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSS/2186/2026</u> Surendra Singh Verma --Petitioner Versus State Of Uttarakhand and others --Respondents <u>Hon'ble Pankaj Purohit, J.</u> Mr. Vinay Kumar, learned counsel for petitioner. 2. Mr. N.S. Pundir, learned D.A.G. for the State of Uttarakhand. 3. By means of the present writ petition, the petitioner has challenged the order dated 15.07.2026 passed by respondent no. 2-Director, Directorate of Medical Education, Uttarakhand, Dehradun, whereby the petitioner has been placed under suspension in contemplation of the Disciplinary Inquiry, on the basis of preliminary inquiry conducted by three member committee report of which was submitted on 10.06.2026. 4. The petitioner was issued a show cause notice after the inquiry report on 24.06.2026 and after receiving his reply and considering all aspects of the matter, the petitioner was placed under suspension by impugned suspension order dated 15.07.2026. 5. It is the main contention of the learned counsel for the petitioner that



		the petitioner cannot be suspended in a routine manner. He relied upon Rule 4 (1) of the Uttarakhand Government Servant (Discipline and Appeal) Rule, 2003, (as amended up to date). It is stated by the petitioner that according to the amended Rule it shall be clearly mentioned in the suspension-order that the charges against the concerned Government Servant are so serious that in the event of it's being established, major penalty would be inflicted. The proviso of the said Rule also provides the same thing. 6. Rule 4 (1) along with Proviso is quoted hereinunder:- Rule 4. Suspension— (1) A Government Servant against whose conduct an inquiry is contemplated, or is proceeding, may be placed under suspension pending the conclusion of the inquiry at the discretion of the Appointing Authority . It will be clearly mentioned in the suspension order that the charges against the concerned government servant are so serious that in the event of these being established, major penalty would be inflicted; Provided that suspension should not be resorted to unless the allegations against the Government Servant are so serious that in the event of these being established may be normally the basis of major penalty; 7. After hearing the petitioner, this Court directed to the State counsel to get the instructions as to whether the said fact has been written in the suspension order or not. On instructions today, the learned counsel for the State admitted that it
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			has not been written in the suspension order and it is informed by the learned State Counsel that this may be a typographical error. 8. This Court is of the view that this cant' be a typographical error rather it is one of the <i>sine qua non</i> to be mentioned in the suspension order as to whether the charges are grave enough to entail the major penalty of dismissal or removal. 9. In such view of the matter, the order cannot sustain. The same is hereby quashed. The liberty is given to the respondents to pass a fresh order after appreciating the charges levelled against him in accordance with provision of Rule 4 (1) of the Uttarakhand Government Servant (Discipline and Appeal) Rule, 2003, (as amended up to date). 10. Accordingly, the writ petition is allowed. (Pankaj Purohit, J.) 24.08.2026 Nahid
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