2026:AHC:208450

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 13564 of 2026

Shubham Pandey

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Pranesh Kumar Mishra
Counsel for Respondent(s)	:	Adarsh Bhushan, C.S.C.

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State respondents and Sri Adarsh Bhushan, learned counsel for respondent no. 2.

2. While entertaining the instant writ petition, this Court passed the following order dated 01.09.2026.

> *"1. The petitioner is aggrieved by the order dated 06.08.2026, whereby he has been placed under suspension.*
> *2. Learned counsel for the petitioner submits that the suspension order has been passed in violation of the proviso to Rule 4(1) of the Uttar Pradesh Power Corporation Limited Employees (Discipline and Appeal) Regulations, 2020. It is further submitted that no preliminary inquiry has been conducted to ascertain the correctness of the allegations levelled against the petitioner. It is next submitted that, till date, neither has the charge-sheet been served upon the petitioner nor has any inquiry officer been appointed.*
> *3. Learned counsel appearing for respondent no. 2 prays for and is granted one week's time to obtain instructions from the authorities concerned with regard to the submissions advanced by learned counsel for the petitioner.*
> *4. List this matter on 10.09.2026 as fresh."*

3. Pursuant to the aforesaid order, learned counsel appearing for respondent no. 2 has filed a copy of the instructions before the Court today, which is taken on record. On the basis of the said instructions, he submits that the charge-sheet was issued on 10.08.2026; however, till date the petitioner has not submitted his reply to the aforesaid charge sheet.

4. Learned counsel for the petitioner submits that charge-sheet was served upon the petitioner on 11.09.2026. It is, however, contended that, on account of injury sustained in an accident, the petitioner could not submit his reply to the charge-sheet within the stipulated time. He further submits that the petitioner shall submit his reply to the charge-sheet within a period of 15 days from today.

5. Learned counsel for the petitioner has emphasised, and reiterates his earlier submissions, that the impugned order dated 06.08.2026, whereby the petitioner has been placed under suspension, has been passed without following the provisions contained in the proviso to Rule 4(i) of the U.P. Power Corporation Limited Employees' Discipline and Appeal Regulations, 2020. It is further submitted that no prima faice satisfaction has been recorded in the impugned order that in the event the charges levelled against the petitioner are found proved, the same would warrant a major penalty against the petitioner. It is further submitted that the petitioner has no direct or indirect involvement in the charges levelled against him.

6. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the record, particularly the provisions contained in the proviso to Rule 4(i) of the Regulations of 2020, no useful purpose would be served by keeping the present writ petition pending. Accordingly, without expressing any opinion on the merits of the case, the present writ petition is disposed of with the following directions:

(i) The petitioner shall file his detailed reply/defence to the memo of charges served upon him within a period of 15 days from today.

(ii) Upon receipt of the reply submitted by the petitioner, the disciplinary authority shall make every endeavour to conclude the disciplinary proceedings within a period of four months thereafter, after affording the petitioner due and proper opportunity of hearing.

(iii) Till a final decision is taken by the disciplinary authority, the effect and operation of the impugned order dated 06.08.2026, whereby the petitioner has been placed under suspension, shall be kept in abeyance.

(iv) The petitioner shall extend full co-operation in the disciplinary proceedings and shall not seek any unnecessary adjournment. In the event of

any delay not attributed to the petitioner, the disciplinary authority shall ensure that the proceedings are concluded within the aforesaid period.

(v) It is, however, clarified that, if considered necessary, the competent authority shall be at liberty to transfer the petitioner to any other place within the territorial jurisdiction of the same distribution company, or at the head quarter, during the pendency of the disciplinary proceedings.

7. With the aforesaid directions and observations, present writ petition stands **disposed of.**

October 6, 2026
vkg

(Dinesh Pathak,J.)

Digitally signed by :-
VINOD KUMAR GOSWAMI
High Court of Judicature at Allahabad