2026:AHC:227387

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 18181 of 2026

Niketan Kumar Gupta

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Pranesh Kumar Mishra
Counsel for Respondent(s)	:	C.S.C., Devesh Vikram

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the parties.

2. Petitioner is aggrieved by the order dated October 21, 2026 whereby he has been placed under suspension.

3. Learned counsel appearing for the petitioner advances two fold submissions. Firstly, the impugned order dated 21.10.2026 has been passed in violation of the provisions initiated under proviso to Regulation 4(i) of Uttar Pradesh Power Corporation Limited Employees (Discipline and Appeal) Regulation, 2020. It is submitted that there is no observation made by the competent authority in the impugned order dated 21.08.2026 that, if the allegations leveled against the petitioner are found to be proved, they may warrant the imposition of a major penalty upon the present petitioner. Secondly, it is submitted that the suspension order has been passed without contemplation of the disciplinary inquiry and no charge sheet has yet been served upon the petitioner.

4. Sri Devesh Vikram, learned counsel appearing for the respondent no. 2 submits that inquiry committed was constituted on the same day i.e. October 21, 2026 consists of one Chairman and one Member. It is further submitted that the charge sheet would served upon the petitioner within 15 days.

5. In view of the facts and circumstances, as mentioned above, no useful purpose would be served to keep the petition pending. Accordingly, without expressing any opinion on the merits of the case, this Court deems it appropriate to finally dispose of the instant writ petition with the following directions :-

(i) The inquiry committee shall serve the charge sheet upon the petitioner within a period of one month from today. The charge sheet shall be accompanied by the relevant documents and the list of witnesses proposed to be relied upon in support of charges.

(ii) Upon receipt of the said charge sheet, the petitioner shall file his reply/defence to the aforesaid charge sheet along with his defence and supporting documents within a period of 20 days from the date of receipt thereof.

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

(iv) Till a final decision is taken by the disciplinary authority, the effect and operation of the impugned order dated 21.10.2026, whereby the petitioner has been placed under suspension, shall be kept in abeyance.

(v) 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.

(vi) It is, however, clarified that, if considered necessary, the competent authority shall remain at liberty to transfer the petitioner to any other nearby place or at the headquarters,

during the pendency of the disciplinary proceedings.

6. With the aforesaid observations/directions, instant writ petition stands **disposed of**.

November 2, 2026
Nisha

(Dinesh Pathak,J.)

Digitally signed by :-
nisha kumari
High Court of Judicature at Allahabad