
(2022) 11 UK CK 0068

In the Uttarakhand High Court

Case No : Writ Petition (PIL) No. 153 Of 2022

Mahendra Singh Aswal

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 22-11-2022

Acts Referred:

Uttar Pradesh Kshettra Panchayats And Zila Panchayats (Removal Of Pramukhs And Up-Pramukhs, Adhyakshas And Up-Adhyakshas) Enquiry Rules, 1997 — Rule 3

Citation : (2022) 11 UK CK 0068

Hon'ble Judges : Vipin Sanghi, CJ;R.C. Khulbe, J

Bench : Division Bench

Advocate : Vikas Bahuguna, K.N. Joshi, Sanjay Bhatt

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

1. Issue notice.
2. Counsels for the respondent nos. 1 to 8 are present and accept notice.
3. In the light of the order we propose to pass, we do not consider it necessary to issue notice to respondent no. 9, the private respondent.
4. The petitioner has preferred the present Writ Petition to seek constitution of a Special Investigation Team to enquire into the complaint of the petitioner, and to conclude it within one month.
5. The said complaint is directed against the respondent no. 9. The petitioner has disclosed that the State Government, vide its order dated 10.10.2022, has directed the Additional District Magistrate, Finance and Revenue, Pauri Garhwal, to conduct a preliminary enquiry into the complaint of the petitioner, under Rule 3 of the U.P. Kshettra Panchayats and Zila Panchayats (Removal of Pramukhs and Up-Pramukhs, Adhyakshas and Up-Adhyakshas) Enquiry Rules, 1997.

6. The grievance of the petitioner is that no action has been taken in pursuance of the said preliminary enquiry instituted by the Government.
7. We, therefore, dispose of this Writ Petition with a direction to the respondent no. 6 to conduct the preliminary enquiry expeditiously, and to conclude the same within a period of 15 days from today.
8. The petitioner should be kept informed about the submission of the preliminary enquiry report.
9. The Writ Petition is disposed of in the aforesaid terms.
10. In sequel thereto, pending application, if any, also stands disposed of.