

(2009) 05 AHC CK 0521
In the Allahabad High Court

Nazma

APPELLANT

Vs

State of U.P.and Others

RESPONDENT

Date of Decision : 15-05-2009

Acts Referred:

Citation : (2009) 05 AHC CK 0521

Hon'ble Judges : Arun Tandon, J

Final Decision : Disposed Of

Judgement

Arun Tandon, J.

The petitioner is the elected Pradhan. He is aggrieved by the orders dated 03.12.2008 and that dated 20.03.2009. Under the impugned order passed by the District Magistrate, the petitioner has been held responsible for payment of Rs. 2010/ qua the amount shown as wages paid to the workman and for a sum of Rs. 6743/ which according to the order represents the loss caused to the State Government because of acts/omissions on the part of the petitioner.

Counsel for the petitioner submits that both the orders have been passed without affording opportunity of hearing to the writ petitioner and without bringing to his knowledge the alleged enquiry reports which are the basis of the order.

Standing Counsel on behalf of the respondents submits that the amount as required to be deposited is too meagre and, therefore, this Court should not interfere with the orders passed. However it is contended that if the petitioner feels aggrieved with the order, he may make a representation before the District Magistrate who shall examine the matter afresh, in accordance with law.

In view of the above, I am of the considered opinion that the petitioner may deposit the money which have been demanded, within one month from today and may also file a representation along with certified copy of this order bringing to the knowledge of the District Magistrate the relevant fact in respect of the amount demanded. The District Magistrate shall consider the explanation furnished, preferably within two months from the date it is filed. The amount

deposited by the petitioner shall abide the orders to be passed by the District Magistrate, as indicated above.

Writ petition stands disposed of.