
(2008) 12 AHC CK 0324
In the Allahabad High Court

N.K.Singh

APPELLANT

Vs

State of U.P.and Others

RESPONDENT

Date of Decision : 05-12-2008

Acts Referred:

Citation : (2008) 12 AHC CK 0324

Hon'ble Judges : Janardan Sahai, J and R.K.Rastogi, J

Final Decision : Dismissed

Judgement

R.K. Rastogi, J.

The petitioner is Incharge District Panchayat Raj Officer. He has been suspended on 5.11.2008 by order of the State Government. This is the order impugned in this present writ petition.

It appears that the petitioner was holding interviews for appointment to the post of Safai Karmachari. The allegation in the order of suspension is that from the pocket of the petitioner several chits bearing roll numbers and phone numbers and two note books were recovered. In paragraph 3 of the order of suspension reference is made to a preliminarily enquiry held by the District Development Officer. In paragraph 8 of the order it is stated that from the slips and note books it was found that against the roll numbers, caste of candidates viz, SC/BC and amount of money was mentioned. The allegations against the petitioner are of serious nature.

Counsel for the petitioner submitted that the petitioner was required to hold interviews for 200 candidates in a day apart from cycle test and the mere fact that some slips/note books have been found in the pocket of the petitioner would not mean that the petitioner was going to act unfairly in the interview. It is also submitted that before placing an employee under suspension, it is necessary that the authority passing the order should be satisfied that a case for awarding major punishment has been made out.

In our opinion, the allegations made in the order of suspension are quite serious

in nature. As regards the truthfulness of the allegations it is too early for the court to express any opinion as the same can be done only after material is collected in the enquiry.

No ground for interference under Article 226 of the Constitution has been made out at this stage. The enquiry may be completed by the respondents preferably within a period of three months from the date a certified copy of this order is filed by the petitioner before the concerned respondents. Subject to these observations, this petition is dismissed.