2026:AHC:212604

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16699 of 2026

Munaur Ahamad

.....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., Purnendu Kumar Singh

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel appearing for the petitioner; learned Standing Counsel appearing on behalf of respondent no.1, and Shri Purnendu Kumar Singh, learned counsel appearing on behalf of respondent no.2.

2. The petitioner is aggrieved by the order dated 24.09.2026, whereby he has been placed under suspension.

3. Learned counsel for the petitioner submits that the impugned suspension order has been passed in violation of proviso to Regulation 4(i) of the U.P. Power Corporation Ltd. Employees (Discipline and Appeal) Regulations, 2020 (in brevity 'Regulations '2020'). However, a condition has been imposed through the proviso, appended thereto, that the power of suspension ought not to be exercised unless the allegations against the employee are of such serious nature that in the event of their being established, they would ordinarily warrant imposition of a major penalty.

4. Learned counsel appearing on behalf of the contesting respondents does not controvert the submissions advanced by the learned counsel for the petitioner; however submits that the enquiry officer has already been appointed and the charge-sheet shall be served upon the petitioner shortly. It is further contended that disciplinary proceedings shall be concluded at the earliest.

5. Having considered the rival submissions advanced by the learned counsel for the parties and upon perusal of record, and having regard

to the provisions enunciated under proviso to Regulation 4(i) of the Regulations, 2020, this Court is of the considered opinion that no useful purpose would be served by keeping the instant writ 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 contesting respondents shall serve the memo of charges upon the petitioner, within twenty days from today.

(ii) The petitioner shall file his detailed reply/defence to the memo of charges served upon him within a period of 15 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 within a period of six months thereafter, after affording the petitioner due and proper opportunity of hearing.

(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) Till a final decision is taken by the disciplinary authority, the effect and operation of the impugned order dated 24.09.2026, whereby the petitioner has been placed under suspension, shall be kept in abeyance.

(vi) 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.

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

October 9, 2026
VR

(Dinesh Pathak,J.)

Digitally signed by :-
VIBHA RATAN
High Court of Judicature at Allahabad