



2026:AHC:15961

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 643 of 2026

Yogendra Kumar, Revenue Inspector, Tehsil Sadar

.....Petitioner(s)

Versus

State Of Up And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Adarsh Kumar, Deepankar Chaudhary
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Deepankar Chaudhary, learned counsel for the writ petitioner and Sri P.K. Srivastava, learned Additional Chief Standing Counsel for the State.

2. The case of the writ petitioner is that he is presently posted as Revenue Officer while the writ petitioner was posted as Revenue Officer on 11.09.2025, an order came to be passed by the District Magistrate, Maharajganj placing the writ petitioner under suspension in contemplation of the inquiry.

3. Questioning the suspension order, the present writ petition has been filed.

4. Learned counsel for the writ petitioner has sought to argue that the suspension order cannot be sustained even for a single moment particularly when there is nothing on record or even iota of evidence that the writ petitioner has committed misconduct. Submission is that though in the suspension order, it has been recited that against the writ petitioner, a complaint was preferred and the writ petitioner in order to do official work as a Revenue Inspector used to demand illegal gratification in that regard and threaten and even his work and conduct has resulted in suspension. There happens to be a report of the Deputy Collector dated 06.09.2025 which has been made basis of suspending the writ petitioner. Learned counsel for the writ petitioner submits that even if the charges are taken into

face value then it would be a case of minor penalty and not major penalty.

5. Sri P.K. Srivastava, learned ACSC submits that already charge sheet has been issued on 24.11.2025 and the writ petitioner has tendered his reply on 06.01.2026, thus, it is for the writ petitioner to contest the proceedings.

6. I have heard the submission so made across the bar and perused the record.

7. The writ petitioner happens to be a Government Servant, his services stand regulated by the rule and nomenclature of U.P. Government Servant (Discipline and Appeal) Rules, 1999. It is also not the case of the writ petitioner that an authority who has suspended the writ petition is not competent authority. As regards, the objection raised by the writ petitioner that the writ petitioner had not committed any misconducted is concerned, this Court in exercise of the jurisdiction under Article 226 is not required to delve into the factual aspects which are subject matter of inquiry and the jurisdiction of the disciplinary authority cannot be usurped by this Court.

Prima facie, the allegations do support the respondents in placing the writ petitioner under suspension when there happens to be a complaint of illegal gratification in that regard.

8. Accordingly, interference is declined, the writ petition stands **disposed of**. The suspension order dated 11.09.2025 passed by the District Magistrate, Maharajganj is upheld. The disciplinary authority shall conduct and conclude the inquiry proceedings within a period of three months from the date the date of production of certified copy of the order. The writ petitioner shall participate in the inquiry proceedings and shall be paid subsistence allowance as per rules.

January 21, 2026
Rajesh

(Vikas Budhwar,J.)