

Court No. - 37

Case :- WRIT - A No. - 5267 of 2012

Petitioner :- Santosh Kumar Srivastava

Respondent :- Disciplinary Authority & Another

Counsel for Petitioner :- A.B. Srivastava, Arvind Srivastava

Counsel for Respondent :- Kartikeya Saran, S.C.

Hon'ble Vikram Nath, J.

Hon'ble Daya Shankar Tripathi, J.

Heard Shri Arvind Srivastava, learned counsel for the petitioner and Shri Satish Chand Dubey, holding brief of Shri Kartikeya Saran, learned counsel for the respondents and perused the materials on record.

The writ petition is allowed.

The impugned order of punishment is set aside.

The enquiry may continue from the stage of submission of the reply of the petitioner and may proceed in the light of the observations made in this order and may be concluded expeditiously, preferably, within a period of three months from the date of production of a certified copy of this order.

The petitioner may be reinstated on the post on which he was working at the time of dismissal and will continue on the post. The salary for the period during dismissal shall be considered by the disciplinary authority at the time of taking final decision. The disciplinary authority may consider appointing an enquiry officer other than the previous enquiry officer so that there may be relevants of facts.

Order Date :- 10.01.2017

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