| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS |
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| | | | **WPSB No. 403 of 2025**<br>**Mahendra Kumar ---- petitioner**<br>**Vs**<br>**State of Uttarakhand & anr ---- respondents**<br>**Hon'ble Manoj Kumar Tiwari, A.C.J.**<br>**Hon'ble Subhash Upadhyay, J.**<br>1. Mr. Harshpal Sekhon, learned counsel for the petitioner.<br>2. Mr. Gajendra Tripathi, learned Standing Counsel for the State.<br>3. Mr. Ashish Joshi, learned counsel for respondent No. 2.<br>4. Petitioner is serving as In-charge Assistant General Manager (Finance) in Uttarakhand Transport Corporation. He has challenged the order dated 15.09.2025, passed by Managing Director of the Corporation, whereby petitioner was put under suspension.<br>5. The impugned order is on record as Annexure-1 to the writ petition. It states that a disciplinary enquiry is contemplated against the petitioner, therefore, he is put under suspension with immediate effect. Law is well settled that an employee can be put under suspension if the charges against him are so serious which may warrant imposition of major penalty, if found proved. In the impugned order, there is nothing to indicate that the charges against petitioner are so serious which may entail imposition of major penalty on being proved. Thus, we find substance in the submission made by learned counsel |

for the petitioner that the impugned order has been passed without application of mind. On that ground alone, we set aside the impugned suspension order.

6. The writ petition is, however, disposed of with liberty to the competent authority in Uttarakhand Transport Corporation to utilize the services of the petitioner at any place in public interest, including by transfer. The Disciplinary Authority shall be at liberty to proceed departmentally against the petitioner. It shall be open to the Disciplinary Authority to serve charge-sheet upon the petitioner within ten days from today. Petitioner shall submit reply to the charge-sheet within fifteen days thereafter. The enquiry proceedings shall be concluded and final order be passed within six months thereafter.

**(Subhash Upadhyay, J.)**
17.11.2026

**(Manoj Kumar Tiwari, A.C.J.)**
17.11.2026

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