



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 2024 of 2026

31 July, 2026

Ashwani Kumar Sharma

--Petitioner

Versus

Bajpur Cooperative Sugar Factory Limited & another

--Respondents

Presence:-

Mr. Vipul Sharma, learned counsel for the petitioner.

Mr. T.A. Khan, learned Senior Advocate assisted by Ms. Jasmeer Wahid, learned counsel holding brief of Mr. Vinay Bhatt, learned counsel for the respondents.

Hon'ble Pankaj Purohit, J.

Petitioner has challenged the order dated 22.07.2026 passed by respondent no.2, whereby petitioner was placed under suspension and, for the purpose of inquiry, a direction has been issued by the Administrator/District Magistrate, U.S. Nagar, by a High-Level Committee.

2. The allegations, as reflected in the suspension order, are that there is a huge difference between the weight of the scrap to be given to the Contractor and the weight found in the vehicle at the Dharam Kanta. The scrap which was given to the Contractor was 63 quintals, while the vehicle, when intercepted and weighed outside the mill, was found carrying 222.40 quintals of scrap. Finding carelessness on the part of the petitioner, he was placed under suspension by the respondent no.2, and an inquiry was directed to be conducted.

3. Learned counsel for the petitioner submits that



he is merely a member of a Committee constituted for the weighing of scrap, as reflected from annexure-3 to the writ petition, therefore, he cannot be blamed. Secondly, it is submitted that no other member of the Committee, except the petitioner and one Shri Sneh Vikas Sharma, Godown In-charge, was placed under suspension. He also submits that the charges are not so grave as to warrant dismissal or removal, which is a major penalty under the Uttar Pradesh Cooperative Sugar Mill Federation Employees Service Regulations, 1988 (for short "the Regulations, 1988"). Thus, the suspension order is bad in violation of Rule-51 (3) of Regulations of 1988.

4. Per contra, learned Senior Advocate appearing for the respondents submits that petitioner is Storekeeper and the other person, Shri Sneh Vikash Sharma, was the Godown In-charge, therefore, their carelessness was found in the entire episode, and accordingly, they have been placed under suspension. He further submits that, so far as the contention raised by the petitioner regarding the Regulations, 1988 is concerned, these Regulations are not applicable to the petitioner, as he is not an employee of the Federation, and the case of the petitioner is governed by the Standing Orders notified on 27.09.1988. Clause 12 prescribes the satisfaction of the General Manager for placing an employee of the Sugar Mill under suspension. Since a High-Level Inquiry is contemplated in the present matter, the suspension cannot be interfered with at this stage.

5. Having heard learned counsel for the parties, this Court is of the view that since allegations made in the suspension order against the petitioner are very



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serious and grave, as reflected from the record, this Court is not inclined to interfere in the matter. However, respondents are directed to conclude the inquiry against the petitioner expeditiously, within a period of four months from the date of production of a certified copy of this order.

6. The writ petition is accordingly disposed of.
7. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
31.07.2026

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