

**HIGH COURT OF UTTARAKHAND, NAINITAL**

**OFFICE-MEMORANDUM**

No.74/UHC/Admin.A-II/2023

Dated: July 24, 2023

Shri Dhananjay Chaturvedi, District & Sessions Judge, Chamoli, against whom, disciplinary proceedings is contemplated, with regard to following charges, is put under suspension with immediate effect:

- (i) The officer was issued a show-cause notice dated 11.04.2023 to explain his conduct as evident from video clip recording of his Court, wherein evidence seen to be recording in his Court, in his absence.
- (ii) The officer has not satisfactorily explained his conduct, for which, show-cause notice was issued to him, Moreover, he not only procured some statements from his Reader, Personal Assistant and some Advocates working in his Court- in support of his version, but also obtained call detail of a female employee working in Chamoli Courts.
- (iii) Prima facie, the officer has misused and abused his official position while obtaining self serving statement from his subordinates, and Advocates appearing in his Court, and also obtaining call-detail records of a female employee, which is infringement of her personal right to privacy, and in breach of the law relating to summoning the call records of any person. He was only required to explain his conduct, and it was not for him to conduct an enquiry into the issue; who has made the video recordings and why.
- (iv) The aforesaid conduct of the officer deserves to be inquired into, as misuse or abuse of official position, constitutes misconduct. Since Shri Dhananjay Chaturvedi has himself stated in his reply dated 20.07.2023 that he had obtained the CDR of Ms. Manisha Sati, and has also enclosed the communication issued by him on 14.07.2023 to the SP Chamoli for the said purpose, there is no purpose to be achieved by issuing a show-cause notice to him. The Full Court resolved that a charge-sheet for initiation of an enquiry under Rule 7 of the Uttarakhand Government Servant (Discipline & Appeal) Rules, 2003 be issued to Shri Dhananjay Chaturvedi.
- (v) The explanation furnished by Shri Dhananjay Chaturvedi, in response to the show-cause notice dated 11.07.2023, is that he is suffering from stone in his kidney, and has to frequently

urinate and get up from the Dias for not more than two minutes. He states that at that time, there cannot be recording of evidence, as he always directs the recording of evidence to stop. But, in the video-clippings received with the complaint, it appears that the evidence was being recorded, and he-the Presiding Officer, was not present in the Court. The explanation is not found satisfactory. Therefore, the Full Court resolves to initiate a Regular enquiry under Rule 7 of the Uttarakhand Government Servant (Discipline & Appeal) Rules, 2003 against Shri Dhananjay Chaturvedi by issuing a charge-sheet.

- (vi) During his suspension, Shri Dhananjay Chaturvedi shall remain attached to the office of District & Sessions Judge, Champawat. He will get subsistence allowance in accordance with rules.

**By Order of Hon'ble the Court,**

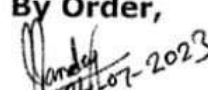
Sd/-  
(Anuj Kumar Sangal)  
Registrar General.

No.3921/UHC/Admin.A-II/2023

Dated: July 24, 2023

Copy to:-

1. P.P.S. to Hon'ble the Chief Justice.
2. P.S. to Hon'ble Judges with the request to place it before Hon'ble Judges.
3. Principal Secretary (Law)-cum-L.R., Government of Uttarakhand, Dehradun.
4. The Accountant General, Uttarakhand.
5. Director, Directorate of Treasuries, Pension & Entitlements, 23-Laxmi Road, Dalawala, Dehradun for information and necessary action.
6. Chief Judicial Magistrate, Chamoli with the direction to serve the suspension order to Shri Dhananjay Chaturvedi and send compliance report to this Hon'ble Court.
7. Chief Treasury Officer, Chamoli.
8. Assistant Registrar (Vigilance) of the Court.
9. Guard File.

**By Order,**  
  
Assistant Registrar  
Admin.A-II