



2026:AHC:162815

HIGH COURT OF JUDICATURE AT ALLAHABAD
WRIT - A No. - 1602 of 2021

Rajesh Kumar Srivastav (Ardali)

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jai Prakash Prasad
Counsel for Respondent(s)	:	C.S.C.

Court No. - 34
(SN.105)

HON'BLE ANISH KUMAR GUPTA, J.

1. Heard Sri Jai Prakash Prasad, learned counsel for the petitioner and Sri Rajiv Gupta, learned Additional Chief Standing Counsel for the State.

2. The instant petition has been filed by the petitioner seeking quashing of the order dated 28.08.2020, passed by the President, District Consumer Disputes Redressal Forum, Amroha, District Amroha, whereby the application moved by the petitioner for grant of earned leave for 52 days for which the petitioner was on leave due to his medical conditions and for the grant of salary from 03.03.2020 till 20.06.2020, for which the petitioner was not allowed to join his services after he was declared fit on 02.03.2020.

3. The briefly stated facts are that due to pain in his legs, the petitioner has proceeded on leave after due intimation to the department on 07.01.2020 and he was advised bed rest time to time and he continued on leave upto 02.03.2020, when he was declared fit to join services. Thereafter, the case of the petitioner is that he has joined on 03.03.2020, however, from the next date i.e., 04.03.2020, he was not allowed to continue in service. Thereafter, the petitioner has made representation to the President, District Consumer Disputes Redressal Forum, as

well as the State Consumer Disputes Redressal Commission.

4. Thereafter, vide order dated 10.06.2020, the Registrar, State Consumer Disputes Redressal Commission, has communicated the order dated 08.06.2020 passed by the Chairman of the State Consumer Disputes Redressal Commission, whereby the direction was issued that the petitioner be given the charge forthwith and regard to his earned leave, orders be passed in accordance with rules. Thereafter, the petitioner was permitted to take charge on 26.06.2020. However, despite the representation made by the petitioner on 20.08.2020, 23.08.2020 and 24.08.2020, which were received by the President, District Consumer Disputes Redressal Forum on 24.08.2020, however, the claim of the petitioner was rejected on the ground that the petitioner has not claimed for the earned leave for the entire period of his absence from 07.01.2020 till 25.06.2020 and he has claimed only 52 days earned leave and the salary for the remaining period from 04.03.2020 till 25.06.2020. However, on the representation dated 20.08.2020, which was also sent to the Registrar, State Consumer Disputes Redressal Commission, the Registrar, vide order dated 28.08.2020, has further directed the President, District Consumer Disputes Redressal Forum, Amroha to grant 52 days of earned leave, medical expenses and salary from January, 2020 till June, 2020 to the petitioner.

5. Since, vide letter dated 28.08.2020, the Registrar, State Consumer Disputes Redressal Commission has already clarified that the petitioner is entitled for 52 days earned leave, medical expenses and the salary from January, 2020 till June, 2020, pursuant thereto, it was an obligation upon the President, District Consumer Disputes Redressal Forum, Amroha, to pass the appropriate order in accordance with rules.

6. In such view of the matter, instant petition is ***disposed of*** with direction to respondent no. 5, President, District

Consumer Disputes Redressal Forum, Amroha to pass the formal order granting 52 days of earned leave to the petitioner and medical expenses as well as the salary from January, 2020 till June, 2020 within a period of three weeks and all consequential payment shall be made within six weeks. If necessary orders are not passed and the payment is not made within the stipulated period, the amount payable to the petitioner shall carry interest at the rate of 6% per annum.

August 4, 2026
Shubham Arya

(Anish Kumar Gupta,J.)