



2026:AHC:172194

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3556 of 2016

Parmeshwar Ram

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Anand Kumar Pandey, Ashok Kumar Mishra, Krishna Kant Tiwari, R. B. Tripathi
Counsel for Respondent(s) : , C.S.C.

Court No. - 34

(SN.6)

HON'BLE ANISH KUMAR GUPTA, J.

Order on Civil Misc. Amendment Application No. 59986 of 2016

1. By way of the instant Amendment Application, learned counsel for the petitioner seeks correction of typographical error in the 'Prayer 1'. Only the impugned order has been mentioned as Annexure 7, whereas, the correct position is that the impugned order dated 21.10.2015 has been annexed as Annexure 6 to the writ petition.

2. In such view of the matter, the Amendment Application is ***allowed***.

3. In such view of the matter, learned counsel for the petition is permitted to carry out the amendment in the writ petition during the course of the day.

Order on Writ Petition

1. By way of impugned order dated 21.10.2015, the claim of the petitioner for regularization was rejected on the ground that the petitioner was continuing in service in view of the interim order passed in ***Writ A No. 50164 of 2011*** and the said petition is pending before this Court.

2. It is submitted by learned counsel for the petitioner that the said ***Writ A No. 50164 of 2011*** was finally allowed vide order dated 18.02.2020 with

the follownig directions:

"13. The selection now held in pursuance of various orders passed by this Court in various writ petitions as aforesaid, has been held by District Level Selection Committee. Therefore, no fault can be found in the selection held by the District Level Selection Committee with regard to the petitioners dated 02.05.2009. The petitioners were not heard before the District Magistrate had passed the order dated 04.08.2011. The Government Order that he had placed reliance upon, was issued on 05.02.2010, i.e. much after the selection of the petitioners held 02.05.2009. The Government Order which came later on cannot control the selection that was held earlier.

14. The orders dated 04.08.2011 and 12.08.2011 are set aside.

15. The writ petition stands allowed.

16. The regularization of the petitioners in pursuance of the Selection Committee which held proceedings on 02.05.2009 not being an issue in Writ Petition No.55978 of 2009: Hari Yadav and another Vs. State of U.P. and others, the petitioners cannot be allowed to suffer because of any orders passed by this Court, as it is settled position in law that no party can be put to prejudice only because of an order passed by the Court.

17. The petitioners shall be considered to have been duly regularized from the date of initial appointment as Peons by the orders dated 25.05.2009, 14.07.2010 and 16.09.2010."

3. In such view of the matter, since the positive direction has already been passed in favour of the petitioner, in such view of the matter, no further direction is required to be passed in the instant petition and the instant petition has become infructuous in view of the order dated 18.02.2020 passed in Writ A No. 50164 of 2011.

4. Accordingly, the instant petition is *dismissed as infructuous*.

(Anish Kumar Gupta,J.)

August 14, 2026
Shubham Arya