



2026:AHC:169526

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 8902 of 2026

Ramesh Kumar Prajapati

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ashish Kumar Srivastava

Counsel for Respondent(s) : C.S.C., Dhananjay Awasthi, Jai Bahadur Singh

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the petitioner; Sri Dhananjay Awasthi, learned counsel for respondent nos. 3 and 4; Sri J.N. Maurya, learned Standing Counsel for respondent no. 5, as well as learned learned Standing Counsel representing State-respondents nos. 1 and 2, and perused the record on Board.

2. This writ petition has been filed, *inter alia*, seeking the following reliefs:

"(a) issue a writ, order or direction in the nature of certiorari quashing the order dated 23.05.2026 passed by respondent no.2 (Annexure No.1 to the writ petition).

(b) issue a writ, order or direction in the nature of Mandamus directing the respondents to permit the petitioner to continue on the post of cashier in the office of Gorakhpur Industrial Development Authority, Gorakhpur.

(c) issue a writ, order or direction in the nature of Mandamus directing the respondents to consider and pass appropriate order upon the representation of petitioner dated 23.05.2026 (Annexure No. 16 to the writ petition)."

3. While entertaining the present writ petition, this Court passed the following order on 20.07.2026:

"1. Learned counsel for the petitioner; learned counsel for the respondents No. 3 and 4; Sri J.N. Maurya, learned Standing Counsel for the respondent No. 5 as well as learned Standing Counsel representing State-respondents are present.

2. The petitioner is aggrieved by the order dated 23.05.2026, whereby he has been transferred from the post of Junior Assistant, GIDA, Gorakhpur to the post of Junior Assistant, Regional Office, Varanasi, UPSIDA.

3. Solitary submission advanced by the learned counsel for the petitioner is that initially he was appointed to the post of Cashier, however, he has illegally been treated as an employee serving on the post of Assistant Clerk. He has further laid emphasis on the order dated 09.05.2016 (Annexure No. 13) passed in Writ A No. 20314 of 2016 (Ramesh Kumar Prajapati vs. State of UP and two Others), whereby an interim order was granted permitting the petitioner to continue to discharge the duties of the post of Cashier.

4. On the request of learned counsel for the petitioner, list this matter on 29.07.2026 as fresh along with the record of Writ A No. 20314 of 2016."

4. In compliance with the order dated 20.07.2026, record of the writ petition being Writ- A No.- 20314 of 2016 is attached with this writ petition.

5. Perusal of the record reveals that the aforesaid writ petition was dismissed with an observation that the order dated 13.04.2016, which was challenged in the aforesaid writ petition, was recalled by a subsequent order dated 12.05.2016. Order dated 16.05.2016, passed in Writ- A No. 20314 of 2016, is quoted hereinunder:

"Pursuant to the orders passed by this Court on 9.5.2016, the Chief Executive Officer has examined the matter and the order, under challenge in the present writ petition dated 13.4.2016, has been recalled. The order dated 12.5.2016 produced by Sri Nripendra Mishra, learned counsel for the respondent, recalling the order impugned dated 13.4.2016, is

taken on record.

In view of the fact that since the order impugned has already been recalled, no useful purpose would be served in keeping the writ petition pending.

Writ Petition is accordingly dismissed."

6. Learned counsel for the petitioner submits that against the transfer order dated 23.05.2026, petitioner submitted a detailed representation regarding nomenclature of post (designation) on which he is serving. However, respondents have not decided the aforesaid representation till date.

7. Sri Dhananjay Awasthi, learned counsel for respondent nos. 3 and 4 has contended that grievance of the present petitioner, regarding nomenclature of post (designation) on which he is serving, can more appropriately be redressed by the Chief Executive Officer, Gorakhpur Industrial Development Authority (G.I.D.A.), Civil Lines, Gorakhpur (respondent no. 4) and that he has no objection if a direction is issued for the expeditious disposal of a fresh representation to be submitted by the petitioner, within such stipulated period, as may be directed by this Court.

8. In this conspectus, as above, no useful purpose would be served by keeping this matter pending. Therefore, this Court deems it appropriate to finally dispose of the present writ petition, without expressing any opinion on the merits of the case, with liberty to the present petitioner to move a fresh representation before the Chief Executive Officer, Gorakhpur Industrial Development Authority (G.I.D.A.), Civil Lines, Gorakhpur (respondent no. 4) to ventilate his grievances, as raised in this petition, within a period of two weeks from today, along with a certified copy of this order and a self attested copy of the instant writ petition, who,

in turn, shall consider and decide the same in accordance with law expeditiously, preferably, within a period of **two months** from the date of production of the same, if there is no other legal impediment.

9. With the aforesaid observation/direction, present writ petition is **disposed of.**

(Dinesh Pathak,J.)

August 12, 2026

Prashant D.