



2026:AHC:8248

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 231 of 2026

Jagannath

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amar Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Amar Singh, learned counsel for the writ petitioner and Sri Pramod Kumar Srivastava, learned Additional Chief Standing Counsel for the State.
2. The case of the writ petitioner is that he was appointed on the post of Lekhpal on 05.10.1990 and he retired on 31.07.2025, a notice came to be issued on 16.10.2025 for recovering excess payment amounting to Rs. 03,56,766/-, the writ petitioner tendered his reply on 12.11.2025 which came to be rejected on 30.12.2025.
3. Questioning the said order, the present writ petition has been preferred.
4. Learned counsel for the writ petitioner submits that the order impugned cannot be sustained as the same is cryptic non speaking and does not deal with the contention raised by the writ petitioner in his objection dated 12.11.2025.
5. Learned Standing Counsel submits that it is always for the employer to make consequent recovery, however, from the order itself it is not forthcoming that the writ petitioner's contention has been considered.
6. I have heard the submission so made across the bar and perused the record.
7. Facts are not in issue. It is not in issue that a show cause notice came to be issued on 16.10.2025 post retirement of the writ petitioner on

31.07.2025 to which the writ petitioner tendered his reply on 12.11.2025 and on 30.12.2025 order impugned has been passed. Importantly, the order impugned does not take into account the contention raised by the writ petitioner.

8. Accordingly, the order dated 30.12.2025 cannot be sustained. Resultantly, the writ petition is **allowed**, the order dated 30.12.2025 is set aside, matter stands remitted back to the authority to pass a fresh order within a period of two months.

(Vikas Budhwar,J.)

January 13, 2026
Rajesh