



2026:AHC:9696

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 258 of 2026

Khurshid Ahmad

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohammad Umar Khan
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri M. U. Khan, learned counsel for the writ petitioner and Sri R.S. Umrao, learned Standing Counsel for the State.

2. Sri R.S. Umrao, learned Standing Counsel has made a statement at bar that he is well equipped with the instructions and he is in a position to argue the matter and he does not propose to file any affidavit and the writ petition be decided on the basis of the documents available on record. With the consent of the parties, the writ petition is being decided at the fresh stage.

3. The case of the writ petitioner is that he was appointed on the post of Urdu Translator on 08.03.1995, according to the writ petitioner, he was entitled for the benefit of ACP post completion of 26 years of service. It is the case of the writ petitioner that now impugned order has been passed on 11.12.2025 by the District Development Officer, Sant Kabir Nagar seeking to re-fix the salary and make recovery on the ground of excess payment has been accorded. Learned counsel for the writ petitioner submits that the entire exercise is in violation of principles of natural justice and the writ petitioner has not been put to notice. It is also not apparent that it is a case of fraud, misrepresentation or concealment

4. Learned Standing Counsel submits that it is not forthcoming from the order impugned that the writ petitioner was put to notice according to him, order be set aside, matter be remitted back to the authority to pass a fresh order.

5. Considering the submission so made across the bar and after perusing the record, the Court finds that the order impugned has been passed in violation of principles of natural justice and there is nothing to show that the writ petitioner was put to notice. It is also not apparent that the writ petitioner has committed any fraud, concealment or misrepresentation.

6. Accordingly, the writ petition is being decided in the following terms.-

(a) in the order dated 11.12.2025 passed by District Development Officer, District Sant Kabir Nagar is set aside; (b) matter stands remitted back to the authority to pass a fresh order strictly in accordance with law within a period of two months.

7. With the aforesaid observations, the writ petition stands disposed of.

8. At this stage, Sri R.S. Umrao, learned Standing Counsel submits that show cause notice shall be issued by 31.01.2026.

(Vikas Budhwar,J.)

January 14, 2026

Rajesh