



2026:AHC:1979

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 20298 of 1992

Upendr Akumar

.....Petitioner(s)

Versus

Tehsildar

.....Respondent(s)

Counsel for Petitioner(s)	:	Ankit Kumar Pal, Praveen Kumar Singh, S.N. Singh, Satyam Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. On the oral request of learned counsel for the writ petitioner, he is permitted to implead District Magistrate, Farrukhabad as respondent no. 3.

2. Heard Sri Ankit Kumar Pal, learned counsel for the writ petitioner and Sri S.K. Pal, learned Additional Chief Standing Counsel for the State.

3. Since counter rejoinder affidavits have been exchanged between the parties, thus, on the request of the learned counsel for the parties, the writ petition is being decided at the fresh stage.

4. The case of the writ petitioner is that the writ petitioner was engaged as Seasonal Collection Amin for collecting revenue from the farmers in the year 1989, however, according to the writ petitioner, he was entitled to be regularized/absorbed, however, his services came to be orally terminated, he preferred the present writ petition seeking following reliefs.-

"a) issue a direction, order or writ in the nature of certiorari calling for the record from the office of the Tehsildar and quashing the order of terminating the service of the petitioner, if any.

b) issue a writ order or direction in the nature of mandamus directing the Tehsildar Kayganj, District Farrukhabad to allow the petitioner to work on his post and regularize the service of the petitioner.

c) issue any other writ order or direction in any nature which this Hon'ble Court may

deem fit proper in the circumstances of the case.

d) award costs o the petition to the petitioner."

5. On 08.06.1992, an interim order was passed which is quoted as under.-

"Admit and connect with writ petition nos. 148 of 1988 and 2493 of 1991 and other similar writ petitions.

Meanwhile the opposite parties will not terminate the services of the petitioner by creating artificial breaks and consequently allow him to write and pay salary and allowances in accordance with law."

6. Thereafter, the present writ petition came to be dismissed on 27.02.2009 for default. A restoration application came to be preferred by the writ petitioner which came to be allowed on 19.05.2025 wherein the following orders were passed.-

"Re: Civil Misc. Delay Condonation Application No.- 1 of 2021

Heard learned counsel for the petitioner.

Cause shown for delay in filing the recall application is sufficient. Delay in filing the recall application is condoned.

Delay condonation application is allowed.

Order on Civil Misc. Restoration Application No.- 2 of 2021

Explanation offered for non-appearance of the counsel on the date fixed when the petition is dismissed for want of prosecution are taken to be sufficient and accordingly, restoration application is allowed.

The order dated 27th February, 2009 dismissing the petition for want of prosecution is hereby recalled.

The petition is restored on its original number with the same status as it had prior to the passing of the order which has been recalled today.

List on 23rd July, 2025 for final disposal."

7. According to the learned counsel for the writ petitioner, his services came to be regularized by virtue of the order of the District Magistrate dated 08.06.1992 with effect from 01.07.1992 and he was accorded promotion and as Revenue Inspector on 09.04.2022 and he superannuated on 30.06.2024. According to the writ petitioner, he has not been paid the

pensionary benefits.

8. Sri S.K. Pal, learned Additional CSC submits that the claim of the writ petitioner for according pensionary benefits needs adjudication at the first instance by the District Magistrate, Farrukhabad.

9. Considering the submission so made across the bar and bearing in mind the fact that the writ petitioner services stood regularized and he was promoted, though the writ petition came to be dismissed in default and it was restored while restoring the writ petition to its original number in the same status which was prior to the dismissal in default of the writ petition, thus, the writ petitioner to approach the District Magistrate, Farrukhabad for redressal of the grievances.

10. Accordingly, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition before the District Magistrate, Farrukhabad who shall thereupon consider the claim of the writ petitioner and pass appropriate orders within a period of three months.

(Vikas Budhwar,J.)

January 6, 2026

Rajesh