



2026:AHC:2317

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19123 of 2025

Satveer Singh

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Rai, Subhash Chandra Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Dinesh Rai, learned counsel for the writ petitioner and Sri Gaurav Singh, learned Standing Counsel for the State.
2. A statement has been made by Sri Gaurav Singh, learned Standing Counsel that he is well equipped with the instructions and he is in a position to argue the case. He further submits that he does not propose to file any affidavit and the writ petition be decided on the basis of the documents available on record.
3. With the consent of the parties, the writ petition is being decided at the fresh stage.
4. The case of the writ petitioner is that he was recruited on the post of Constable in the U.P. Police on 01.10.1984. He was send for training which stood completed on 07.07.1985. The writ petitioner had been sanctioned Rs.364/- on 07.07.1985, selection Grade had been accorded on 01.03.1995 and he was granted the benefit of 19 years service, 24 years' service and 26 years' service, however, according to the respondents, there happened to be certain objections pursuant whereto, the Assistant Accounts Officer in U.P. Police Headquarters Lucknow issued a communication dated 30.10.2024 to the Superintendent of Police Rampur and thereafter a show cause notice came to be issued to the writ petitioner dated 25.07.2024 to which the writ petitioner tendered his reply on 03.08.2024. In the show-cause notice, the writ petitioner was show-caused as to why the recovery be not made and refixation be not done, as there was error and thereafter now the orders

impugned had been passed on 30.10.2024 and 12.12.2024, whereby re-fixation and recovery has been directed to be made.

5. Questioning both the orders, the present writ petition has been preferred.

6. Learned counsel for the writ petitioner has sought to argue that the impugned orders cannot be sustained for the simple reason that though a show cause notice came to be issued to the writ petitioner on 25.07.2024, show causing the writ petitioner within a period of seven days as to why recovery and re-fixation be not done, to which the writ petitioner tendered his reply on 03.08.2024. However, there has been no consideration about the objection so raised by the writ petitioner in his reply to the show cause notice and there is non consideration whereof. He submits that there is a procedural infirmity in decision making process.

7. Learned Standing Counsel on the other hand submits that whatever might be, it is always open for the employer to rectify the errors but according to him, it is not forthcoming that the reply of the writ petitioner has been considered in correct perspective. According to him, the orders impugned be set aside and matter be remitted back to pass a fresh order.

8. I have heard the submissions so made across the Bar and perused the record.

9. Facts are not in issue. It is not in issue that a show cause notice came to be issued show causing the writ petitioner with regard to wrong fixation of the pay-scale and recovery, to which the writ petitioner tendered his reply. However, from the order impugned, it is not forthcoming that the contentions and the objections so raised have been considered. Accordingly, the order impugned cannot be sustained, as there has been error in the decision making process. Therefore, the writ petition is being decided in the following terms:

(a) The order dated 30.10.2024 passed by the Sahayak Lekhadhikari, U.P. Police Headquarter, Lucknow/fourth respondent and 12.12.2024 passed by the Superintendent of Police/ Additional Superintendent of Police, Rampur/ Regional Officer Office Rampur, Respondent nos. 5 and 6, are set aside.

(b) Matter stands remitted back to the authority to pass fresh a order.

(c) At this stage, Sri Gaurav Singh, learned Standing Counsel submits that

the orders will be passed within a period of two months.

10. With the aforesaid observation, the writ petition stands **disposed of**.

January 7, 2026

N.S.Rathour

(Vikas Budhwar,J.)