



2026:AHC:3679

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19756 of 2025

Krishna Kumar Singh, Constable, Pno No.
860920483

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

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

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Dinesh Kumar Singh, learned counsel for the writ petitioner and Sri Raj Kumar Singh, learned Standing Counsel for the State.

2. A statement has been made by Sri Raj Kumar 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 the writ petitioner is a Police Constable, who was appointed on 01.11.1986 and in the seniority list, he was at Sl. No. 48. However, owing to a criminal case bearing number "40 of 2004 under Sections 392 and 411 IPC read with Section 7/13 of Prevention of Corruption Act. The writ petitioner's case was kept under sealed cover and the writ petitioner was acquitted vide order dated 24.04.2025. The writ petitioner claims promotion on the post of Head Constable. He also submits that in view of the Government Order dated 28.05.1997, even if an appeal is pending against the order of acquittal, the same would not be a ground to denude the promotional aspects.

5. Prayer in the present writ petition is for granting promotion to the writ petitioner on the post of Head Constable.

4. Learned Standing Counsel on the other hand submits that the claim of the

writ petitioner needs adjudication at the first instance by Respondent no.4.

5. Considering the submissions so made across the Bar, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition and the certified copy of the order before Respondent no.4, who on the said motion shall proceed to consider the claim of the writ petitioner strictly in accordance with law within a period of three months and the sealed cover be opened in that regard while granting benefits which are admissible under law, from the date of production of certified copy of the order.

January 7, 2026

N.S.Rathour

(Vikas Budhwar,J.)