



2026:AHC:4510

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 17761 of 2025

Bhola Yadav

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Syed Wajid Ali
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Syed Wajid Ali, learned counsel for the writ petitioner and Sri Manish Kumar, learned Standing Counsel for the State.

2. A statement has been made by Sri Manish Kumar, 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 appointed as Seasonal Collection Amin in District Gorakhpur on 12.07.1999 and in the seniority list, his name finds place at Sl. No.27 and according to the writ petitioner his services stood regularized on 05.02.2005 and the writ petitioner joined as regular Collection Amin. However, an order came to be passed by Respondent no.3/ Collector/District Magistrate, Gorakhpur cancelling the appointment of the writ petitioner as Collection Amin along with 20 others on 28.06.2006 which was subject matter of challenge in Writ-A no. 36192 of 2006 (Bhola Yadav vs. State of U.P. and others), in which an interim order was passed and thereafter the said writ petition was disposed of on 13.07.2006 following the judgment in Writ Petition No.34762 of 2006

(Amiruddin and others vs. State of U.P. and others). The writ petitioner thereafter preferred a representation on 27.07.2006 before Respondent no.3 which came to be rejected on 19.10.2006, which was subject matter of challenge in Writ Petition No.61096 of 2005 which came to be disposed of on 08.11.2006 following the judgment in Writ Petition No.59953 of 2006, (Amiruddin and others vs. State of U.P. and others). According to the writ petitioner, an order came to be passed on 23.02.2007, again rejecting the claim of the writ petitioner, which was subject matter of challenge in Writ Petition No. 13506 of 2007 in which on 23.02.2007, an interim order came to be passed. Thereafter on 08.05.2009, the writ petitioner's services came to be confirmed as Collection Amin, and the writ petitioner thereafter got the Writ Petition no.13506 of 2007 dismissed as withdrawn on 27.11.2025. According to the writ petitioner, he was also accorded ACP on 23.08.2017. It is also the case of the writ petitioner that promotion exercise stood undertaken for promotion on the post of Revenue Inspector but the claim of the writ petitioner side-tracked on the ground that Writ-A no. 36192 of 2006 (Bhola Yadav vs. State of U.P. and others) was pending. Learned counsel for the writ petitioner submitted that the writ petitioner is entitled to be considered for promotion on the post of Revenue Inspector and the ground so taken that already Writ Petition no.13506 of 2007 questioning the order dated 23.02.2007 is pending, thus the claim of the writ petitioner cannot be considered, is not in accordance with law, particularly when the writ petition now stands dismissed as withdrawn, particularly when the writ petitioner himself has confirmed that the said writ petition has lost its efficacy.

5. Learned Standing Counsel on the other hand submits that whatever might be, a call is to be taken by the District Magistrate, Gorakhpur in that regard.

6. Considering the submissions so made across the Bar and after perusing the records, the writ petition stands **disposed of** requiring 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.3, who on the said motion shall proceed to consider the claim of the writ petitioner for promotion on the post of Revenue Inspector bearing in mind the eligibility and suitability within a period of three months from the date of production of certified copy of the order.

7. Instructions filed today are taken on record and marked as Appendix 'A'.

(Vikas Budhwar,J.)

January 8, 2026

N.S.Rathour