



2026:AHC:5283

HIGH COURT OF JUDICATURE AT ALLAHABAD
WRIT - A No. - 17969 of 2025

Ram Gopal

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Babboo Ram, Gautam Baghel
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Gautam Baghel, learned counsel for the petitioner and Sri Awadesh Kumar Shukla, learned Standing Counsel, who appears for State-respondents.
2. Sri Awadesh Kumar Shukla, learned Additional Chief learned Standing Counsel, submits that he is well equipped with the instructions and the instructions are self-sufficient for disposal of the writ petition and he does not propose to file any further affidavit and the petition be decided on the basis of the documents available on record, thus with the consent of the parties, writ petition is being decided at the fresh stage.
3. The case of the writ petitioner is that he was initially appointed on the post of constable on 17.06.2025, however, one of the relative of the writ petitioner i.e. Shivam Sharma who also participated in the selections, lodged a complaint against the writ petitioner regarding the testimonials of the writ petitioner. It is also the case of the writ petitioner that he is under wrong advised preferred Writ-A No. 15242 of 2025 as a precautionary measure for obtaining an order restraining the respondents from creating any obstacle. However, an inquiry was conducted by the respondents pursuant whereto on 31.10.2025 order impugned has been passed by the Senior Superintendent of Police, Bareilly, third respondent delisting the writ petitioner.
4. Questioning the same, the writ petitioner has been filed the present writ petition.
5. Learned counsel for the writ petitioner has submitted that the entire exercises which culminated into passing of the order impugned is in violation of the principles of natural justice, the writ petitioner has not been

put to notice, adverse inputs have been pressed into service. He submits that the order impugned be set aside.

6. Learned Standing Counsel on the other hand submits that the writ petitioner had committed fraud and he had placed two mark-sheets having different date of birth. However, he submits that it is not forthcoming that the order impugned that the writ petitioner was put to notice.

7. I have heard learned counsel for the parties and gone through the records carefully.

8. Facts are not in issue. The only issue which is engaging attention is whether it is incumbent upon the respondents to issue notice before passing of the order impugned, delisting the writ petitioner, the answer is obviously "yes", particularly, when adverse inputs are being sought to be injected in order to dislodge the writ petitioner.

9. Accordingly, the order impugned cannot be sustained, the writ petition is being decided in the following manner:

(a). The impugned order dated 31.10.2025 passed by the Senior Superintendent of Police, Bareilly, third respondent is set aside.

(b). The matter stands remitted back to pass fresh order strictly in accordance with law post issuance of a show cause notice and after hearing the writ petitioner.

(c) The respondents shall issue a show cause notice to the writ petitioner by 30.01.2026.

(d) The writ petitioner shall submit his reply by 15.02.2026.

(e) An order shall be passed within a period of two months thereafter.

10. The status which is of today shall be maintained and the reinstatement of the writ petitioner shall be subject to the final orders to be passed.

11. Accordingly, the writ petition stands **disposed of**.

12. Instructions filed today are taken on record as marked as appendix A.

January 8, 2026

A. Prajapati

(Vikas Budhwar,J.)