



2026:AHC:5790

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 82 of 2026

Dharmpal

.....Petitioner(s)

Versus

The State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Aditya Prakash Verma, Ranjana Verma, Shailesh Verma
Counsel for Respondent(s)	: C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Shailesh Verma along with Ankeshwar Mishra (A/A 0355/2025), learned counsel for the petitioner and Sri Gaurav Singh, learned Standing Counsel, who appears for State-respondents.

2. The case of the writ petitioner is that he was appointed as a home-guard on 31.12.2008, however, two criminal cases were lodged against the writ petitioner firstly case crime no. 0529 of 2022, under Sections 498-A, 323, 506 & 354 IPC and the second case being case crime no. 0296 of 2022, under Section 306 IPC, a show cause notice came to be issued on 10.09.2025 by the District Commandant of Home-Guards, Shahjahanpur, third respondent show causing the writ petitioner as to why is appointment may not be cancelled/ terminated and owing to lodging of criminal case and further he was not allowed to perform work.

3. Learned counsel for the writ petitioner submits that the entire basis is the Government order dated 18.08.2023 of clause 5 to 8 and the same held to be *ultra vires* in **Writ-A No. 16186 of 2024 (Mahesh Singh v. State of U.P. and 3 Others)**, decided on 26.09.2025.

4. Learned Standing Counsel submits that the matter needs to be revisited by the third respondent, District Commandant of Home Guards, Shahjahanpur.

5. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the third respondent, who shall on

the receipt of the same by 16.01.2026, on the said motion, the third respondent shall revisit the matter bearing in mind the judgment in ***Mahesh Singh (supra)*** within a period of two months from the date of presentation of the certified copy of the order..

6. Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

7. With the aforesaid observation, the writ petition is **disposed off**.

January 9, 2026

A. Prajapati

(Vikas Budhwar,J.)