



2026:AHC:5966

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 18957 of 2025

Abhishek Pratap Singh

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Lavlesh Kumar Shukla
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

Order on Civil Misc. Impleadment Application No. 2 of 2025

1. Since there is no objection to the same by the learned Standing Counsel, amendment application stands allowed.
2. Accordingly, impleadment application is allowed.
3. Let necessary impleadment be carried out in the writ petition by learned counsel for petitioner during the course of the day.

Order on Petition

1. Heard Sri Lavlesh Kumar Shukla, learned counsel for the petitioner and Sri Gaya Prasad Singh, learned Standing Counsel, who appears for State-respondents no. 1 to 3.
2. In view of the order, which is being proposed to be passed today, notices are not being issued to the respondent No. 4.
3. The case of the writ petitioner is that he was engaged Assistant Accountant in the B.S.A. Office on 10.11.2011 through an outsourcing agency to respondent no. 4. However, on 29.03.2025, a show cause notice was issued to the writ petitioner show - causing the writ petitioner with regard to certain commission of the misconduct with respect to receiving illegal gratification. The writ petitioner tendered his reply on 29.03.2025. On 30.03.2025, the District Basic Education Officer, Siddarthnagar proceeded to delist 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 order impugned cannot be sustained. The contention so sought to be raised while giving a reply to the show cause notice on 29.03.2025 has not been considered and in the order itself which is recited or conducted the departmental proceedings.

6. Learned Standing Counsel on the other hand submits that whatever might be the writ petitioner has committed misconduct and that is why he has been delisted and discharged, however, he submits that the reply submitted by the writ petitioner has not been considered. He submits that the summoning order be set aside and the matter be remitted back to Court below to pass fresh orders.

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

8. Apparently, the writ petitioner was issued a show cause notice on 29.03.2025 to which the writ petitioner to which the writ petitioner tender his reply on 29.03.2025. However, the order impugned does not show that there has been any consideration of the reply of the writ petitioner and further it is also not forthcoming under which provision, the writ petitioner is to be departmentally proceeded with.

9. Accordingly, the writ petition is being decided in the following manner:

(a). The impugned termination order dated 30.03.2025 passed by the respondent no. 2 is set aside.

(b). The matter stands remitted back to pass fresh order strictly in accordance with law after putting notice to the writ petitioner.

10. The status of the writ petitioner as of today shall be maintained and the same shall be subject to the final order to be passed therein.

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

January 9, 2026

A. Prajapati

(Vikas Budhwar,J.)