



2026:AHC:15218

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 601 of 2026

Arun Kumar Tripathi

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sanjay Kumar Verma
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Sanjay Kumar Verma, learned counsel for the petitioner and Sri Pramod Kumar Srivastava, learned Additional Chief Standing Counsel, who appears for State-respondents.

2. The counsel for the rival parties have made a joint statement that they do not propose to file any further affidavits 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 appointed as Constable in Civil Police on 26.07.1984 and he superannuated on the post of Sub Inspector from the department on 31.10.2024 and the last salary drawn was Rs. 64,100/-, however, the same is a unilateral exercise behind the back of the writ petitioner, now orders have been passed for recovery is to the said amount and reducing the basic pay from Rs. 64,100/- to Rs. 60,400/-.

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 same is unilateral passed behind the back without putting the writ petitioner to notice. Further submission is that it is not the case of fraud, concealment or misrepresentation.

6. Learned Additional Chief Standing Counsel on the other hand submits that whatever might be it is not forthcoming from 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. It is not in issue that the writ petitioner, on the date of retirement, enjoined the basic pay of Rs. 64,100/- which has been reduced to Rs. 60,400/-. It is not forthcoming from the record that the writ petitioner was put to notice.

9. 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 second respondent, Finance Controller Uttar Pradesh Police, Head Quarter, Lucknow who shall on the receipt of the same within a period of two weeks, proceed to decide the claim of the petitioner strictly in accordance with law within a period of three months from the date of presentation of the certified copy of the order. In case the second respondent is of the opinion that the matter is to be decided by some other authorities then the papers shall be transmitted to the same.

10. Any recovery made shall be subject to final orders to be passed therein.

January 21, 2026

A. Prajapati

(Vikas Budhwar,J.)