



2026:AHC:14799

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 638 of 2026

Shikhar Gaur

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Akshay Kumar Shukla, Ravindra Pal Singh Kashyap
Counsel for Respondent(s)	: C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri R.P.S. Kashyap learned counsel for the writ petitioner and Sri Gaurav Singh, learned Standing Counsel for the State.
2. Sri Gaurav Singh has made a statement at bar that he is well equipped with the instructions and he does not propose to file any affidavit and the writ petition be decided on the basis of the documents available on record. With the consent of the parties, the writ petition is being decided at the fresh stage.
3. The writ petitioner claims to be a Panchayat Secretary, however, owing to the allegation of misappropriation and irregularity committed by the writ petitioner a fact finding inquiry stood conducted and thereafter on 18.09.2025, a notice has been issued to the writ petitioner for recovery by the District Panchayat Raj Officer. Learned counsel for the writ petitioner submits that the writ petitioner shall prefer an appeal before the concerned District Magistrate, however, in the meantime, till the disposal of the appeal, no coercive action shall be taken against the writ petitioner.
4. Learned Standing Counsel submits that even otherwise the order in question is appealable under Section 258(2) of the U.P. Panchayat Raj Rules, 1947 and the writ petitioner may prefer an appeal.
5. Considering the submission so made across the bar, the writ petition stands **disposed of** directing the writ petitioner to prefer an appeal before the concerned District Magistrate by 05.02.2026 which shall be decided by 15.03.2026.

6. Till the appeal is decided, no coercive action shall be taken against the writ petitioner pursuant to the order impugned.

7. Passing of the order may not be construed to be an expression that this Court has decided the matter on merits.

8. The protection and the benefit of the present order shall only be applicable, in case, the writ petitioner adheres to the timeline and does not violate any of the condition of the order.

January 21, 2026

A. Prajapati

(Vikas Budhwar,J.)