



2026:ABC:2991

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19657 of 2025

Kamlesh Kumar Yadav

.....Petitioner(s)

Versus

The State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rajesh Kumar Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Rajesh Kumar Singh, learned counsel for the petitioner and Sri Pramod Kumar Srivastava, learned Addl. Chief Standing Counsel, who appears for State-respondents.

2. The case of the writ petitioner is that he was appointed as a homeguard and he was sent for training on 23.03.1998 to 01.04.1998. However, criminal cases stood lodged against the writ petitioner which were four in number being case crime nos. 309 of 2012, 313 of 2012, 262 of 2012 and 811 of 2012. However the writ petitioner has been issued a show-cause notice and he has been restrained from performing the duties.

3. Learned counsel for the petitioner submits that mere pendency of a first information report cannot be a ground to restrain him from performing the duties. He seeks to rely upon the judgement in ***Writ-A No. 16186 of 2024 (Mahesh Singh v. State of U.P. and 3 Others)***, decided on 26.09.2025.

4. Learned Addl. Chief Standing Counsel submits that whatever might be it is for the petitioner to submit the reply to the show-cause notice.

5. Learned counsel for the petitioner submits that he has already submitted the reply.

6. Be that as it may be, 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).

7. 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.

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

9. Instructions have been filed today is taken on record and marked as Appendix-A.

January 7, 2026

A. Prajapati

(Vikas Budhwar,J.)