



2026:AHC:18452

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 968 of 2026

Om Prakash Singh

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

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|---------------------------|---|------------------------------------|
| Counsel for Petitioner(s) | : | Om Singh Rathaur, Sudhanshu Pandey |
| Counsel for Respondent(s) | : | C.S.C.                             |

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**Court No. - 33**

**HON'BLE VIKAS BUDHWAR, J.**

1. Heard Sri Sudhanshu Pandey, learned counsel for the writ petitioner and Sri Manish Kumar, learned Standing Counsel for the State.

2. The case of the writ petitioner is that he was appointed on the post of Constable on 15.08.1981 and he superannuated as Head Constable on 30.11.2022. During his service period, criminal case stood lodged against him being Crime no.395 of 1990, under Sections 147, 323, 504 IPC. According to the writ petitioner, the writ petitioner approached the Court for conclusion of the trial, however, he was informed that file is not traceable. Though reconstruction has been ordered, but there is no possibility of reconstruction of file and further even the complainant was required to submit the papers, but he also did not submit the same. Learned counsel for the writ petitioner submits that in the wake of such circumstances, the inquiry cannot proceed and he has not been paid gratuity, leave encashment, regular and full pension.

3. Prayer in the present writ petition is for a direction to the respondents to consider the claim of the writ petitioner for payment of gratuity, leave encashment, regular and full pension.

4. Learned Standing Counsel on the other hand submits that the claim of the writ petitioner needs adjudication at the first instance by Respondent no.4.

5. Considering the submissions so made across the Bar, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition and the certified copy of the order before Respondent no.4, who on the said motion

shall proceed to consider the claim of the writ petitioner strictly in accordance with law within a period of three months, from the date of production of certified copy of the order.

**January 28, 2026**  
N.S.Rathour

**(Vikas Budhwar,J.)**