



2026:AHC:20847

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1237 of 2026

Retired Head Constable C.P. 29 Krishna Kumar
Tiwari

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shivakant
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Shivakant, 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 his date of birth is 22.01.1949 and he was appointed as Constable on 31.12.1972, promoted as Head Constable on 20.07.1985 and superannuated on 31.01.2009. A criminal case being Case Crime No.41 of 2006 under Section 409 IPC came to be preferred and thereafter writ petitioner claims to have been acquitted in the said criminal case vide order dated 30.07.2022 and appeal of respondent rejected on 22.02.2024 by the District & Sessions Judge, Jalaun at Orai. According to the writ petitioner, his pension was to be re-fixed from 01.01.2016 but the same has not been done.

3. Prayer in the present writ petition is for a direction to the respondents to re-fix the pension of the writ petitioner with effect from 01.01.2016 in pursuance of Govt. Order dated 18.07.2017 and 09.04.2017 and the communication dated 17.09.2025 passed by Chief Finance and Account Officer, U.P. Police Headquarter, Lucknow.

4. Learned Standing Counsel on the other hand submits that the claim of the writ petitioner is to be decided at the first instance by Respondent no.3.

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.3, 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. In case Respondent no.3 finds that the claim of the writ petitioner is to be decided by any other authority, the papers shall be sent to that authority after due intimation to the writ petitioner.

January 30, 2026

N.S.Rathour

(Vikas Budhwar,J.)