



2026:AHC:26271

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1734 of 2026

Rajendra Kumar Yadav

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Krishna Mani
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Krishna Mani Gupta, 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 as a Peon on 12.12.1991 and according to the writ petitioner, one Durga Prasad Pandey was appointed as a Peon on 15.05.1998. He was promoted on the post of Assistant Junior Clerk and superannuated on 31.12.2024. According to the writ petitioner, the post which was held by Sri Durga Prasad Pandey stands vacant and in the seniority list, the name of the writ petitioner finds place, whereby he can be considered for promotion.
3. Prayer in the present writ petition is for promotion of the writ petitioner on the post of Assistant Junior Clerk.
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.2.
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.2, 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 bearing in mind the suitability, eligibility, seniority position and vacancy etc. In case Respondent no.2 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.

February 6, 2026
N.S.Rathour

(Vikas Budhwar,J.)