



2026:AHC:25379

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 18702 of 2025

Samar Jeet Kaithal

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Babu Ram Yadav
Counsel for Respondent(s)	:	Mohammad Imran Khan

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Babu Ram Yadav, learned counsel for the petitioner and Sri R.S. Umrao, learned Standing Counsel, who appears for State-respondents.
2. Instructions have been supplied by Sri R.S. Umrao, learned Standing Counsel, submits that he is well equipped with the instructions and the instructions are self-sufficient for disposal of the writ petition and he does not propose to file any further affidavit and the petition be decided on the basis of the documents available on record, thus with the consent of the parties, writ petition is being decided at the fresh stage.
3. The case of the writ petitioner is that he was posted as Gram Panchayat Adhikari, however, owing to certain alleged irregularities. An inquiry was conducted and the report came to be submitted on 18.02.2021 thereafter a show cause notice was issued to the writ petitioner on 09.06.2021 by the Block Development Officer, Prayagraj, to which the writ petitioner tendered his reply on 17.06.2021 and thereafter on 08.07.2021 an order came to be passed by the District Program Officer/ District Magistrate, Prayagraj for lodging of the FIR and for recovery proceedings. The writ petitioner claims that the loss which was alleged to have sustained by the State was deposited by the others. However, after a period of more than four years, now the impugned order has been passed on 21.11.2025 by the Upayukt (Shram Rojgar), Prayagraj from the office of Block Development Officer, Prayagraj directing for lodging of the FIR against the writ petitioner.
4. Questioning the order dated 08.07.2021 and 21.11.2025 passed by the

respondents, the writ petitioner has been filed the present writ petition.

5. Post passing of the order, today instructions have been forwarded under the signature of Block Development Officer, Prayagraj dated 31.01.2026 which is taken on record and marked as Appendix A.

6. Learned counsel for the writ petitioner has submitted that the writ petitioner at the relevant point of time was posted as Gram Panchayat Adhikari and an inquiry was conducted and thereafter on 18.02.2021, an inquiry came to be submitted to which accompanied with the same, a show cause notice was issued to the writ petitioner on 09.06.2021 to which the writ petitioner tendered his reply on 17.06.2021 but the contentions so raised in the objection preferred by the writ petitioner have not been considered at all and they were held to be unsatisfactory by virtue of the order dated 08.07.2021 passed by the District Program Coordinator/ District Magistrate, Prayagraj and thereafter post lapsing of four years, now the impugned order dated 21.11.2025 has been passed whereby FIR has been lodged against the writ petitioner. Learned counsel for the writ petitioner submits that once the writ petitioner tendered his reply to the show cause notice then it was the incumbent upon the author of the said order to have recorded reasons in coming to the conclusion as to why the contentions so raised by the writ petitioner are not worth acceptance.

7. Learned Standing Counsel on the other hand submits that whatever might be it is apparent that the writ petitioner had committed misconduct and irregularity while posted as Gram Panchayat Adhikari, however, according to him, the reply so submitted by the writ petitioner to the show cause notice has not been considered while passing the order dated 08.07.2021.

8. I have heard learned counsel for the parties and gone through the records carefully.

9. Facts are not in issue. It is not in issue that while the petitioner was posted as Gram Panchayat Adhikari, an inquiry regarding alleged irregularities was conducted and a report was submitted on 18.02.2021, it was served upon the writ petitioner along-with the show cause notice dated 09.06.2021 which came to be replied by the writ petitioner on 17.06.2021 and the District Program Coordinator/ District Magistrate, Prayagraj proceeded to pass an

order negating the claim set up by the writ petitioner while holding that the reply submitted by the petitioner is not worth consideration.

10. A bare look at the impugned order dated 08.07.2021 would reveal that the same does not recite any reasons in coming to the conclusion as to why the reply or the defense set up by the writ petitioner has not been found to be satisfactory.

11. In the opinion of the Court, once a stand is taken in a reply to the show cause notice then the same is to be considered and an order is to be passed this way or that way and it is required for the author of the order to pass a reasoned and speaking order dealing with all contentions so sought to be raised. Since the said exercise is completely lacking, the order dated 08.07.2021 cannot be sustained.

12. Accordingly, the writ petition is being decided in the following manner:

(a). The impugned order dated 08.07.2021 passed by District Program Coordinator/ District Magistrate, Prayagraj and consequential order dated 21.11.2025 passed by Deputy Commissioner (Labour Employment) Prayagraj are set aside.

(b). The matter stands remitted back to pass fresh order strictly in accordance with law within a period of two months from the date of presentation of the certified copy of the order.

13. Accordingly, the writ petition stands **disposed of**.

(Vikas Budhwar,J.)

February 5, 2026

Rajesh