



2026:AHC:22033

HIGH COURT OF JUDICATURE AT ALLAHABAD
WRIT - A No. - 19452 of 2025

Jyoti Prakash

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anish Chaudhary, Om Prakash Shukla
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Om Prakash Shukla, learned counsel for the petitioner and Sri Jitendra Prasad, learned Standing Counsel, who appears for State-respondents.

2. This court entertained this petition on 06.01.2026 while directing the learned Standing Counsel to obtain instructions and thereafter the matter was fixed for today. Instructions have been supplied by Sri Jitendra Prasad, 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 appointed as Wardboy on a monthly honorarium/ salary of Rs. 4650/- per month dated 23.03.2015, however, his services stood terminated on 27.11.2025 by the Chief Medical Officer, Bareilly.

4. Questioning the same, 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 Chief Medical Officer, Bareilly dated 28.01.2026 which is taken on record and marked as Appendix A.

6. Learned counsel for the writ petitioner has submitted that the order dated 27.11.2025 is non-speaking and unreasoned and it has been passed without putting to notice the writ petitioner. Submission is that the said order is stigmatic and it has been passed in violation of principles of natural justice.

7. Learned Standing Counsel on the other hand submits that the writ petitioner was issued a show cause notice on 14.10.2025 to which the writ petitioner tendered his reply on 28.10.2025, however, the order came to be passed on 27.11.2025. He further submits that even a resolution was also passed by the committee whereby the termination order was approved.

8. Learned counsel for the writ petitioner disputes the said fact that as according to him, the order does not show that the writ petitioner was issued a show cause notice.

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

10. Apparently, a show cause notice came to be issued on 14.10.2025 with the writ petitioner claims to have replied on 28.10.2025, however, the order in question came to be passed on 27.11.2025, the writ petitioner disputes issuance of any notice.

11. Be that as it may be, however, the order impugned does not show that whether the writ petitioner was issued show cause notice were not and whether any exercise has known to law was conducted thus the order impugned cannot be sustained.

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

(a). The impugned order dated 27.11.2025 passed by the Chief Medical Officer, Bareilly is set aside.

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

(c). While setting aside the order, this Court has not accorded joining to the writ petitioner at the same would be subject to abide by the fresh orders to be passed.

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

February 2, 2026

Ashu

(Vikas Budhwar,J.)