



2026:AHC:27676

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1804 of 2026

Varsha Garg

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Astha Misra, Avneesh Tripathi
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Avneesh Tripathi, learned counsel for the writ petitioner and Sri R.S. Umrao, learned Standing Counsel for the State.
2. The case of the writ petitioner is that the writ petitioner was initially appointed as an Assistant Engineer in Moradabad in Rural Engineering Department and thereafter he was promoted on the post of Executive Engineer, Rural Engineering Department. While the writ petitioner is posted as Executive Engineer for the works, which the writ petitioner had performed as Assistant Engineer in Rural Engineering Department without there being any show cause notice, an order came to be passed on 11.12.2025 seeking to accord special adverse entry for the period 2025-26.
3. Questioning the same, present writ petition has been preferred.
4. Learned counsel for the writ petitioner has sought to argue that the order impugned cannot be sustained for the simple reason that the same is exparte behind the back and there is a unilateral exercise also and on the basis of certain inputs which the writ petitioner was not aware, the special adverse entry has been accorded.
5. Learned Standing Counsel on the other hand submits that whatever might be, it is not forthcoming from the order impugned that the writ petitioner was put to notice. Thus according to him the order impugned be set aside. Liberty be accorded to act in accordance with law.
6. I have heard the submissions so made across the Bar and perused the records.

7. The writ petitioner alleges that while he was working as Assistant Engineer, in Rural Engineering Department, special adverse entry has been inflicted. It is also not forthcoming from the order impugned that the writ petitioner was put to notice. Since an adverse order entailing civil consequences has passed unilaterally. Thus it was imperative for the respondents to have issued show cause notice to the writ petitioner and after considering the reply so set forth by the writ petitioner, orders ought to have been passed. Since the said exercise is lacking, thus the order impugned cannot be sustained.

8. The order dated 11.12.2025 passed by the Commissioner Moradabad Region, Moradabad is set aside.

9. Passing of the order would not preclude the respondents to pass a fresh order strictly in accordance with law.

10. With the aforesaid observations, the writ petition stands **disposed of**.

February 9, 2026

N.S.Rathour

(Vikas Budhwar,J.)