



2026:AHC:29269-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 10267 of 2025

Union of India and 4 others

.....Petitioner(s)

Versus

Mahendra Bhan Singh

.....Respondent(s)

Counsel for Petitioner(s)	: Shashi Prakash Singh (A.S.G.I.), Jigyasa Singh
Counsel for Respondent(s)	: Indra Raj Singh (Sr.Adv.) with Rohit Singh, Raghvendra Tripathi

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition is directed against order dated 26.09.2024 passed by Central Administrative Tribunal, Allahabad Bench, Allahabad, whereby the order dated 21.04.2023 passed by the petitioners, inter alia, observing that as per the inquiry report of A.S.P.O., Kasganj, as the respondent was absent from duty since 31.12.2021 without any proper information, on account of his own violation the Department was no longer liable for him, has been quashed and petitioners have been directed to hand over the charge of G.D.S. Post Office, Sarai Naru, Kasganj to the respondent.
2. The Tribunal, after hearing the parties, came to the conclusion that it was claimed by the respondent that he fell seriously ill on 06.01.2022 and had informed the Department in this regard, which aspect was not considered and consequently, quashed the order.
3. Learned counsel for the petitioners attempted to make submissions that the Tribunal was not justified in passing the order impugned, inasmuch as the appointment of the respondent itself is under cloud and the O.A. is pending before the Tribunal. Further, conduct of the respondent only merited passing of the order impugned and, therefore, the same be set aside.
4. Counsel for the respondent supported the order impugned.
5. We have considered the submissions made and have perused the material available on record.

6. It is not in dispute that the services of the respondent were discharged on 31.05.2016 whereafter on account of interim order dated 06.09.2016 passed by the Tribunal, the respondent was re-engaged and during pendency of the said re-engagement under the interim order on account of his absence, the charge was given to someone else and when he desired back the charge, the same was refused and the order impugned was passed.

7. Admittedly, the basis of the order has been the inquiry report of A.S.P.O., Kasganj, however, the respondent was not accorded any opportunity of hearing prior to passing of the order refusing him to join back the charge. In those circumstances, the passing of the order impugned, even otherwise, was contrary to the principles of natural justice and could not be sustained.

8. Insofar as the challenge to the order of termination dated 31.05.2016 is concerned, the same is independent of the present matter and the same has to be decided on its own merits, in accordance with law.

9. With the above observations, we do not find any reason to interfere with the order impugned. The petition has no substance. The same is, therefore, **dismissed**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

February 10, 2026

P.Sri./SL