



2026:AHC:28800

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1935 of 2026

Balendr Kumar Singh

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amit Goel, Rakesh Kumar Gupta
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Amit Goel, learned counsel for the petitioner, and Sri R.S. Umrao, learned Standing Counsel for the State-respondents.

2. The case of the petitioner is that he was initially appointed as a Constable on 01.05.1982, was subsequently promoted to the post of Head Constable in the year 2016 and thereafter to Sub-Inspector, and ultimately superannuated on 31.12.2023. However, by virtue of the order dated 30.12.2023 passed by the Senior Superintendent of Police, Badaun by which the salary of the petitioner was amended from Rs. 64,100/- to Rs. 56,000/-.

3. Learned counsel for the petitioner submits that the impugned order has been passed in violation of the principles of natural justice, inasmuch as no notice or opportunity of hearing was afforded to the petitioner prior to passing the said order. It is further submitted that the case does not involve any fraud, concealment, or misrepresentation on the part of the petitioner.

4. Per contra, learned Standing Counsel submits that the order dated 30.12.2023 has been challenged belatedly in the year 2026. However, he does not dispute that if any recovery or refixation adversely affects the petitioner, an opportunity of hearing ought to have been provided.

5. Having heard learned counsel for the parties and perused the record, this Court finds that the impugned order does not reflect that the petitioner

was afforded any opportunity of hearing. It is also not apparent from the record that the case involves fraud, concealment, or misrepresentation.

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

A. The petitioner shall prefer a comprehensive representation along with a self-attested copy of this order before the respondent no. 3, Superintendent of Police, Badaun before 13.03.2026.

B. Upon receipt of the said representation, the respondent no. 3 shall issue a show-cause notice to the petitioner, clearly indicating the basis of the proposed refixation/recovery.

C. The petitioner shall be afforded adequate opportunity to submit his reply and relevant documents. thereafter, a reasoned and speaking order shall be passed strictly in accordance with law within a period of two months from the date of receipt of the representation.

D. Till the aforesaid exercise is completed and a fresh order is passed, the operation and effect of the order dated 30.12.2023, including any consequential recovery or refixation, shall remain subject to the final decision so taken.

(Vikas Budhwar,J.)

February 10, 2026

Sushma