



2026:AHC:29894

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1987 of 2026

Sita Kesarwani

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ambuj Maurya, Arya Gautam, Atipriya Gautam, Sr. Advocate
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Vijay Gautam, learned Senior Counsel assisted by Sri Ambuj Maurya holding brief of Ms. Arya Gautam, learned counsel for the writ petitioner and Sri Rahul Malviya, learned Additional Chief Standing Counsel for the State.

2. The case of the writ petitioner is that her husband late Ram Chandra Kesarwani who was appointed as Constable on 15.01.1981, promoted as Head Constable and Sub Inspector in the year 2019, he superannuated on 28.02.2022 and expired on 13.12.2025. The allegation of the writ petitioner is that there has been salary re-fixation done on 09.07.2021 behind the back of the husband of the writ petitioner unilaterally without putting to notice resulting to the fact that the last pay drawn stood reduced to the detriment of the deceased and the pension was affected, however, according to the writ petitioner the order dated 09.07.2021 was not served upon the husband of the writ petitioner, however, for the very first time the writ petitioner would know about the existence of the order once under the provisions contained under RTI dated 30.09.2025 whereby re-fixation was made with effect from 16.01.2021. Learned counsel for the writ petitioner submits that the impugned order is in violation of principles of natural justice. Learned counsel for the writ petitioner submits that the impugned order is in violation of principles of natural justice.

3. Learned Additional Chief Standing Counsel, on the other hand, submits

that whatever might be an order dated 09.07.2021 is being subject matter of challenge which even in fact as per the claim of the writ petitioner information was made available to the writ petitioner on 30.09.2025. He submits that the grievance of the writ petitioner shall be considered by third respondent, Senior Superintendent of Police, Jhansi.

4. Considering the submission so made across the bar, the writ petition stands **disposed of** directing the writ petitioner to submit a comprehensive representation along with self attested copy of the writ petition and certified copy of the order before the third respondent, Senior Superintendent of Police, Jhansi by **20.02.2026**. Thereafter, the third respondent shall decide the claim after hearing the writ petitioner within a period of two months. Any recovery so made shall be subject to the further orders to be passed in that regard. The question with regard to payment of pension shall also be considered.

(Vikas Budhwar,J.)

February 11, 2026

Rajesh