



2026:AHC:44010

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3000 of 2026

Yogendra Singh Chauhan

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

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

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Vijay Gautam, learned Senior Advocate assisted by Sri Ambuj Maurya, 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 he was appointed on the post of Constable on 16.08.1981. He was promoted as Head Constable in the year 2014 and on the post of Sub-Inspector in the year 2021 and superannuated on 31.12.2021. Post-retirement, according to the writ petitioner, an order came to be passed on 01.12.2022, which was served upon the writ petitioner under the provisions of Right to Information Act, by which there has been refixation of the pay/salary on 01.01.2006 and recovery being made in that regard to the tune of Rs.10,51,415/-. Learned counsel for the writ petitioner submits that the aforesaid action is unilateral behind the back without putting to notice to the writ petitioner. Reliance has been placed upon the judgment in ***State of Punjab vs. Rafique Masih (White Washer)* reported in (2015) 4 SCC 334** so as to contend that the recovery could not have been made.

3. Learned Standing Counsel on the other hand submits that in case, the writ petitioner has not been put to notice, then the writ petitioner may represent his cause before Respondent no.3, who shall decide the matter in accordance with law.

4. Considering the submissions so made across the Bar, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition and the certified copy of the order before Respondent no.3 by 13.03.2026, who on

the said motion shall issue notice to the writ petitioner within a period of 15 days thereafter. The writ petitioner shall tender his reply within a further period of 15 days and the order shall be passed by Respondent no.3 strictly in accordance with law within a period of two months thereafter.

5. Any recovery shall be subject to the further orders passed in that regard.

February 26, 2026

N.S.Rathour

(Vikas Budhwar,J.)