



2026:AHC:44139

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3018 of 2026

Raj Kumar

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Digvijay Tiwari, Kishan Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Digvijay Tiwari, learned counsel for the writ petitioner and Sri Rahul Malviya, learned Standing Counsel for the State.

2. The grievance of the writ petitioner is that he was appointed as a Class-IV employee (Maali), however, he was placed under suspension on 01.11.2018. The same was subject matter of challenge in Writ-A No.281 of 2019, Rajkumar vs. State of U.P. in which interim order staying the suspension order was passed. Thereafter, the said writ petition came to be dismissed for non-prosecution on 20.07.2022. According to the writ petitioner, he was reinstated in service on 25.01.2019, but the period for which the writ petitioner was placed under suspension, the salary has not been paid.

3. Prayer in the present writ petition is for a direction to the respondents to pay salary to the writ petitioner for the period, under suspension.

4. Sri Rahul Malviya, learned Standing Counsel on the other hand submits that whatever might be, once the writ petitioner was placed under suspension and thereafter suspension order was stayed, but there is nothing in the pleadings to show that what was the fact and outcome of the inquiry. He submits that the claim of the writ petitioner needs adjudication at the first instance by Respondent no.2.

5. 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.2 by 13.03.2026, who on the said motion shall proceed to consider the claim of the writ petitioner

bearing in mind the fact whether any inquiry has been conducted or not and whether post dismissal of the writ petition for non-prosecution, whether any further order has been passed placing the writ petition under suspension within a period of three months, from the date of production of certified copy of the order.

February 26, 2026

N.S.Rathour

(Vikas Budhwar,J.)