



2026:AHC:34648

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2371 of 2026

Jai Prakash Singh

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anshu Chaudhary, Shyam Sunder Mishra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Anshu Chaudhary, learned counsel for the writ petitioner as well as Sri Rahul Malviya, learned Standing Counsel for the State.
2. The writ petitioner herein had earlier preferred Writ A No. 17658 of 2025 (Jai Prakash Singh Vs. State of U.P. and 4 others), which came to be disposed of on 24.11.2025. the order whereof is quoted hereinunder:-

"1. Heard Shri Anshu Chaudhary, learned council for the petitioner as well as Shri Pramod Kumar Srivastava, learned Additional Chief Standing Council.

2. The case of the writ petitioner is that he was engaged as Seasonal Collection Peon in the year 1999. A combined seniority list came to be published wherein the name of the petitioner was at serial 51. The candidates up to serial number 45 came to be regularized. Since there was a hindrance in the working of the petitioner as seasonal collection peon, so he preferred a Writ Petition bearing No.20097 of 2022, in which a direction was issued on 8.12.2022 to decide the representation. Thereafter the petitioner was accorded engagement as seasonal collection peon on 6.5.2025, however, in the tentative seniority list, the writ petitioner was shown at serial No.4 and his first appointment was shown as 1999 to 2003 instead of 1999, so he preferred writ petition bearing No. 4627 of 2025 (Ratan Singh Tiwari and 2 others vs State of UP) wherein it was observed that when the seniority list is published, objection filed by the petitioner shall be disposed of. According to the petitioner, the same is pending, however, one Jai Prakash Singh, Rajnish Kumar and Rakesh Kumar Choubey have been inducted as seasonal collection peon in the month of November 2025 despite the fact that the writ petitioner claims to be senior

to them.

3. Prayer in the present petition is for according appointment and to decide the representation.

4. Learned Additional Chief Standing Council submits that whatever might be, the question of correct assignment in seniority is already pending consideration pursuant to an order passed by the Hon'ble High Court and the authorities while publishing a final seniority list will pass an order in that regard. However, in so far as the grievance that petitioner's juniors have been accorded engagement as seasonal collection peon is concerned, the petitioner may approach the District Magistrate, Bhadohi.

5. Considering the submissions so made, the petition stands disposed of directing the petitioner to prefer a comprehensive representation along with the self attested copy of the petition before the 2nd respondent by 12.12.2025. On the said motion, the 2nd respondent shall accord consideration to the claim of petitioner and pass appropriate orders within a period of two months. "

3. However now, the Sub Divisional Officer has proceeded to negate the claim of the writ petitioner while rejecting the representation so preferred by the writ petitioner on 20.01.2026, order whereof is quoted below:-

"याची जय प्रकाश सिंह पुत्र बलराज सिंह निवासी चकवा चन्देल, ज्ञानपुर जिला भदोही सामयिक संग्रह अनुसेवक तहसील औराई जिला भदोही द्वारा मा० उच्च न्यायालय इलाहाबाद में योजित वाद संख्या 17658/2025 जय प्रकाश सिंह बनाम उ०प्र० सरकार आदि में पारित आदेश दिनांक 24.11.2025 को संलग्न कर श्रीमान् जिलाधिकारी महोदय के समक्ष दिनांक 01.12.2025 को यह प्रत्यावेदन दिया गया है कि मैं सामयिक संग्रह सेवक के नियुक्ति हेतु पात्र व अर्ह व्यक्ति है। जिसमें मा० उच्च न्यायालय इलाहाबाद के विषयगत आदेश के अनुपालनार्थ प्रकरण पर सद्भावनापूर्वक विचार करते हुए याची की नियुक्ति सामयिक संग्रह सेवक के पद पर किया जाय। मा० उच्च न्यायालय इलाहाबाद में योजित उक्त याचिका में पारित आदेश दिनांक 24.11. 2025 का अंश निम्नवत है।

".....Considering the submissions so made, the petition stands disposed of directing the petitioner to prefer a comprehensive representation along with the self attested copy of the petition before the 2nd respondent by 12.12.2025. On the said motion, the 2nd respondent shall accord consideration to the claim of petitioner and pass appropriate orders within a period of two months."

मा० उच्च न्यायालय इलाहाबाद में योजित उक्त वाद में पारित आदेश दिनांक 24.11. 2025 के अनुपालन में याची से उनके दावा सम्बन्धी साक्ष्य प्राप्त किये गये जो कार्यालय अभिलेख

पत्रावली पर संलग्न होकर परीक्षण किया गया, तत्कम में याची द्वारा प्रस्तुत अभिलेखों के दृष्टिगत याची के द्वारा अपनी सेवा सम्बन्धी कोई ऐसा साक्ष्य प्रस्तुत नहीं किया जा सका जो तत्सम्बन्धी शासनादेश दिनांक 29.08.2001 के अनुकूल हो, जिससे श्री जय प्रकाश सिंह को सामयिक संग्रह अनुसेवक के पद पर आगामी वसूली मांग के समय नियुक्त किया जा सके।

अतः याची श्री जय प्रकाश सिंह द्वारा दिए गए प्रत्यावेदन दिनांक 01.12.2025 उपरोक्तानुसार निस्तारित किया जाता है।"

4. Questioning the said order, the present writ petition has been preferred.

5. Learned counsel for the writ petitioner sought to argue that the order impugned cannot be sustained as the same is non speaking unreasoned beside any reason in coming to conclusion. Learned counsel for the writ petitioner thus submits that the order impugned be set aside and matter be remitted back to pass fresh order.

6. Learned Standing Counsel, on the other hand, submits that though the order came to be passed negating the claim of the writ petitioner but the same is not happily worded. For the claim of the writ petitioner impugned order be set aside and the matter be remitted back to pass fresh order.

7. Having heard the submissions so made across the bar, in the opinion of the Court, the order impugned is non speaking unreasoned and does not recites any reason in coming to conclusion. Accordingly, the order impugned cannot be sustained.

8. Resultantly, the writ petition is being decided in the following term:-

(a). the order dated 20.01.2026 passed by Sub Divisional Magistrate, Aurai, District Bhadohi i.e. respondent no. 4 is set aside,

(b). matter stands remitted back to the authority concerned to pass a fresh order within a period of two months.

9. The writ petition is disposed of.

February 17, 2026

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(Vikas Budhwar,J.)