



2026:AHC-LKO:22527-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 3351 of 2026

Union Of India, Thru. Director General Deptt.
Of Posts Dak Bhawan New Delhi And 2
Others

.....Petitioner(s)

Versus

Shailesh Singh

.....Respondent(s)

Counsel for Petitioner(s)	:	Varun Pandey
Counsel for Respondent(s)	:	Vijayendra Prakash Tripathi

Court No. - 1

**HON'BLE RAJAN ROY, J.
HON'BLE MANJIVE SHUKLA, J.**

1. Heard Dr. Vandana Singh, Advocate holding brief of Shri Varun Pandey, learned counsel appearing for petitioners/Union of India and Shri V. K. Tripathi, learned counsel for the respondent.
2. By means of the instant writ petition, the Union of India has challenged the judgment and order dated 02.07.2025 passed by the learned Central Administrative Tribunal, Lucknow.
3. The facts of the case are that the respondent along with others applied for being considered for recruitment and appointment as Gramin Dak Sevak. Ten persons were called along with respondent-original applicant. He was appointed on 22.04.2015 and joined on 09.05.2015. He started discharging his duties till his services were terminated vide order dated 02.09.2015 without issuing any show cause notice. The ground for termination was firstly that only five persons were required to be called for recruitment instead 10 were called. Secondly, one Shri Sunil Kumar Yadav, who was at serial no. 2 in the panel, was not offered appointment instead the respondent-original applicant at serial no. 10 had been offered the said appointment. For these reasons, the services of the respondent-original applicant were terminated.
4. Although, aforesaid were the reasons for terminating the

services as mentioned in the written statements filed by the petitioners before the CAT but these reasons were not even mentioned in the termination order dated 02.09.2015, instead the services were terminated being temporary in nature, by giving salary and a sum equivalent to the amount of basic allowance and dearness allowance for the period of notice.

5. Be that as it may, the Tribunal has considered the facts of the case, the evidence on record and recorded its findings. Firstly, it has found that even if the contention of the petitioner that instead of 10, 5 candidates alone should have been called, the fact of the matter is that though the services of the respondent-original applicant were terminated on this ground, the services of other 4 persons who were allegedly called in excess of the maximum candidates required to be called, were not terminated, therefore, clearly it was arbitrary and discriminatory. Even we asked the learned counsel for the petitioner in this regard and no satisfactory reply could be given. The fact being as it is, we do not find any error on this score in the finding of the Tribunal.

6. As regards the other ground, the tribunal has considered the fact that offer was made to Shri Sunil Kumar Yadav but he started making inquiries as to the nature of the post, etc. which was indicative of his unwillingness to accept the same, and ultimately, on 20.10.2015, albeit, after the appointment of the respondent-original applicant, he expressed his unwillingness to accept the offer on account of inadequate wages being offered. Therefore, the Tribunal has taken an equitable view in the matter and having found both the reasons for terminating the services of the respondent-original applicant as untenable, it has allowed the original application of the respondent-petitioner. It has also found that having appointed the respondent-original applicant and then terminated his service in 2015 itself, to contend, as was done before the Tribunal that the panel has expired subsequently, was inconsequential.

7. We do not find any such error in the judgment of the Tribunal so

as to interfere in exercise of our extraordinary jurisdiction under Article 226 of the Constitution of India.

8. In view of above, the petition is **dismissed**.

March 31, 2026

akhilesh/-

(Manjive Shukla,J.) (Rajan Roy,J.)