



2026:AHC:29025

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19799 of 2025

Amit Kumar Sonkar

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Arvind Kumar, Pravin Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Arvind Kumar, learned counsel for the petitioner as well as Sri Jitendra Prasad, learned Standing Counsel for the State.

2. This Court on 22.01.2026 had sought instructions. Pursuant thereto, written instructions dated 04.02.2026 under the signature of the Deputy Commissioner (Labour Employment), District Fatehpur have been produced and taken on record.

3. Learned Standing Counsel submits that he is well equipped with the instructions and the instructions are self-sufficient for disposal of the writ petition and he does not propose to file any further affidavit and the petition be decided on the basis of the documents available on record, thus with the consent of the parties, writ petition is being decided at the fresh stage.

4. The case of the petitioner is that he was posted as Block Development Officer on 04.01.2008 in Block-Khajuha. A complaint came to be lodged against him on 24.08.2022 through the IGRS portal regarding corruption. Thereafter, the Commissioner, Rural Development, Lucknow directed the Commissioner, Prayagraj to institute an inquiry and an inquiry report was submitted on 07.10.2022.

5. It is the contention of the petitioner that the said inquiry was conducted ex-parte. Subsequently, by communication dated 30.12.2023 and further directions dated 01.09.2025 issued by the Joint Director of Commissioner Prayagraj, the Deputy Commissioner MGNREGA, Fatehpur was directed to

proceed for recovery against the petitioner and other persons.

6. On 15.09.2025, a show-cause notice was issued under the signature of the Deputy Commissioner, Labour Employment, Fatehpur calling upon the petitioner to explain as to why recovery be not made against him. In response thereto, the petitioner submitted an application dated 25.09.2025 seeking supply of annexures to the inquiry report which was sent along with the show cause notice as in absence of those documents he was not in a position to submit an effective reply.

7. However, by order dated 15.11.2025, the Chief Development Officer, Fatehpur proceeded to reject the stand of the petitioner and passed recovery order without adverting to the request letter dated 25.09.2025.

8. Learned counsel for the petitioner submits that once the documents forming the basis of the proposed action were not supplied, the issuance of show-cause notice became an empty formality. It is argued that denial of relevant documents amounts to violation of principles of natural justice.

9. Learned Standing Counsel on the basis of instructions does not dispute that the petitioner had sought documents vide letter dated 25.09.2025, though it is sought to be contended that the documents were within the knowledge of the petitioner.

10. Having heard learned counsel for the parties and perused the record, this Court finds that once a specific request was made by the petitioner for supply of documents forming the basis of the proposed recovery, the same ought to have been considered and the relevant documents supplied, unless they were confidential or documents privileged. The impugned order dated 15.11.2025 does not reflect any consideration of the petitioner's request dated 25.09.2025.

11. Accordingly, the writ petition is being decided in the following manner:-

A. The order dated 15.11.2025 passed by the Chief Development Officer, Fatehpur is set aside on the ground of violation of principles of natural

justice.

B. The writ petitioner shall appear before the Chief Development Officer, Fatehpur in the fourth week of February, 2026.

C. The concerned authority shall furnish to the petitioner the relevant documents relied upon in the inquiry report by 02.03.2026.

D. The petitioner shall submit his reply by the fourth week of March, 2026.

E. A reasoned and speaking order shall thereafter be passed strictly in accordance with law by 30.04.2026.

12. It is made clear that the petitioner shall adhere to the timelines fixed above and shall not seek unnecessary adjournments.

13. The order passed today shall not be construed as an expression on the merits of the case. The impugned order has been set aside solely on the ground of violation of principles of natural justice.

14. Instructions dated 04.02.2026 are taken on record as Appendix-'A'.

(Vikas Budhwar,J.)

February 10, 2026

Sushma