



2026:AHC:29278

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16566 of 2025

Ghanshyam Verma

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Braj Mohan Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Braj Mohan Singh, learned counsel for the petitioner and Sri R.S. Umrao, learned Standing Counsel, who appears for State-respondents.

2. The counsel for the rival parties have made a joint statement that they do not propose to file any further affidavits thus with the consent of the parties, writ petition is being decided at the fresh stage.

3. The case of the writ petitioner is that he was posted as Rajaswa Nirikshak (Karyalaya) at Tehsil Meja, District Prayagraj and he was placed under suspension on 29.09.2025.

4. Questioning the same, the writ petitioner has been filed the present writ petition.

5. This Court entertained the writ petition on 07.11.2025 while passing the following orders:

"Contention of the learned counsel for the writ petitioner is that one of the pre-requisite condition which was mandatory was that prima facie satisfaction ought to have been recorded as major penalty would be imposed while placing the writ petitioner under suspension but the said exercise is lacking. Reliance has been placed upon the judgment in the case of Ashok Kumar Singh v. State of U.P. and others; 2021 (7) ADJ 182 (LB).

Learned Standing Counsel seeks time to obtain instructions.

Put up this case on 21.11.2025 as fresh."

6. Post passing of the order, today instructions have been forwarded under

the signature of Sub-Divisional Officer, Meja, Prayagraj dated 09.09.2026 which is taken on record and marked as Appendix A.

7. Learned counsel for the writ petitioner has submitted that the writ petitioner superannuated on 31.12.2025 and thus now the suspension order cannot be enforced or implemented against him. Submission is that the writ petitioner is entitled to the payment of provisional pension in case departmental inquiry has not been concluded while giving a logical end.

8. Learned Standing Counsel on the other hand submits that a chargesheet came to be issued on 09.09.2025, the writ petitioner tendered his reply on 20.12.2025 and the inquiry report stood submitted on 26.12.2025. However, the claim of the writ petitioner for payment of provisional pension and other aspects will be considered.

9. I have heard learned counsel for the parties and gone through the records carefully.

10. Apparently, the writ petitioner questioned the suspension order dated 29.09.2025, however, during the pendency of the writ petition, the writ petitioner superannuated on 31.12.2025. Though as per the instructions, a chargesheet came to be served upon the writ petitioner dated 09.09.2025 to which the writ petitioner tendered his reply on 20.12.2025 and thereafter inquiry report came to be submitted on 26.12.2025 and the writ petitioner stood superannuated on 31.12.2025 thus the suspension order has out-lived its utility. Furthermore the writ petitioner is entitled to provisional pension and also subsistence allowances for the period when he was placed under suspension in that regard.

11. Since a stand has been taken by Sri R.S. Umrao, learned Standing Counsel that the proceedings will be given a logical conclusion while issuing a show cause notice in that regard.

12. Accordingly, the writ petition is being **disposed of**, thus, it is required to District Magistrate, Prayagraj to issue a show cause notice to the Sri R.S. Umrao, learned Standing Counsel within a period of 15 days from today. The writ petitioner shall tender a reply within a further period of 15 days and a final order will be passed and proceedings be concluded within a further period of one month thereafter.

13. The writ petitioner shall be paid subsistence allowance as per rule

subject to fulfillment of formalities and shall also be paid provisional pension in accordance with law.

14. Accordingly, the writ petition stands **disposed of**.

February 10, 2026
Ashu

(Vikas Budhwar,J.)