



2026:AHC:23798

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1570 of 2026

Ravindra Singh

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

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|---------------------------|--------------------------------------------|
| Counsel for Petitioner(s) | : Ashutosh Pratap Singh, Manoj Kumar Singh |
| Counsel for Respondent(s) | : C.S.C.                                   |

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**Court No. - 33**

**HON'BLE VIKAS BUDHWAR, J.**

1. Heard Sri Manoj Kumar Singh, learned counsel for the writ petitioner and Sri Rahul Malviya, learned Standing Counsel, who appears for State-respondents.
2. Instructions have been supplied by Sri Rahul Malviya, 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.
3. The case of the writ petitioner is that he was appointed on the post of Constable in Excise Department on 27.10.2010. As per the writ petitioner, a matrimonial dispute stood initiated between the petitioner and his wife Smt. Seema @ Aarju in which the judgement came to be passed on 30.11.2016 and the decree was dated 03.12.2016 has been passed against which the wife of the petitioner preferred a First Appeal No. 69 of 2017 (Smt. Seema alias Aarju v. Ravindra Singh), under Section 19 of the Family Court, however, during the pendency of the first appeal, an affidavit was submitted with regard to the second marriage and thereafter an order dated 23.01.2018 came to be passed in the first appeal, whereby the writ petitioner was punished for simple imprisonment of three months with a fine of Rs. 2000/-. The writ petitioner was sent to jail and thereafter on 06.04.2018, the writ petitioner was kept under suspension, with regard to the suspension on the allegation that the writ petitioner was under imprisonment

from 03.04.2018 to 25.06.2018. The writ petitioner claims to have reinstated in service on 10.07.2018, however, the ACP and other benefits were made subject to passing of the final decision in the appeal. According to the writ petitioner, the writ petitioner is being paid salary to the tune of Rs. 46,200/- though the salary which the counterparts are getting Rs. 49,000/-.

4. Prayer in the present petition is for a direction for the payment of dues on the salary for the period 03.04.2018 to 25.06.2018 and other benefits.

5. Learned Standing Counsel submits that the claim of the writ petitioner needs adjudication at the first instance by the second respondent, Excise Commissioner, Government of U.P. at Prayagraj.

6. To such a submission, learned counsel for the petitioner has no objection and he gracefully accepts the same.

7. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being **disposed off** granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the second respondent, who shall proceed to decide the claim of the petitioner strictly in accordance with law within a period of three months from the date of presentation of the certified copy of the order. In case the second respondent is of the opinion that the matter is to be decided by some other authorities then the papers shall be transmitted to the same.

8. With the aforesaid observation, the writ petition is **disposed off**.

0. Instructions filed today are taken on record as marked as appendix A.

**February 4, 2026**

Ashu

**(Vikas Budhwar,J.)**