



2026:AHC-LKO:21542

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 12888 of 2025

Girja Shankar Mishra

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Secondary
Education Lko. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Yogendra Kumar Mishra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 17

HON'BLE RAJEEV SINGH, J.

1. Heard Sri Yogendra Kumar Mishra, learned counsel for the petitioner and Sri Ran Vijay Singh, learned Additional Chief Standing Counsel appearing for the respondent nos.1 to 5.

2. This petition has been filed with the following prayer:-

"(i) Issue a writ, order or direction in the nature of the "Certiorari" quashing the impugned order dated 18-08-2025, passed by the District Inspector of Schools, District Lucknow/Opposite Party No. 5 (as contained in Annexure No.-2 to this writ petition).

(ii) Issue a writ, order or direction in the nature of the "Mandamus" commanding the respondents not to give effect the impugned order dated 18-08-2025, passed by the District Inspector of Schools, District Lucknow/Opposite Party No. 5 (as contained in Annexure No.-2 to this writ petition).

(iii) Issue a writ, order or direction in the nature of the "Mandamus" commanding the respondents to pay the arrears of salary to the petitioner w.e.f. July, 2000 till May, 2006."

3. On 13.03.2026, following order was passed:-

"On 04-11-2025, the following order was passed :-

"Heard Mr. Yogendra Kumar Mishra, learned counsel for the petitioner, Mr. Rajiv Singh Chauhan, learned counsel for the State and perused the record.

Under challenge is the communication letter dated 18.08.2025 issued by the District Inspector of Schools and writ of mandamus is also sought, commanding the respondent not to give effect the impugned order/letter dated 18.08.2025.

It is contended by learned counsel for the petitioner that the petitioner was initially appointed on the post of Assistant Teacher, L.T. Grade on 15.12.1998 and once the financial concurrence was not granted, he approached this Court by way of filing Writ Petition No. 4637 S/S of 2000, wherein, the order dated 25.08.2025 was passed which reads as under:-

"Admit.

Notice on behalf of opposite parties No. 1 to 4 has been accepted by the learned Chief Standing Counsel who prays for and is granted four weeks' time to file Counter affidavit.

Issue notice to opposite party No.5.

It has been alleged in the petition that post of Management informed to the D.I.O.S. about the vacancy and as no action was taken by the D.L.O.S. for appointment, the committee of Management appointed the petitioner who is Working since 15.12.1998. The Learned Standing Counsel submits that the appointment of the petitioner is illegal, as vacancy was never communicated to the D.I.O.S. and publication was not made in two new papers.

In view of the aforesaid facts, the opposite parties are directed to pay salary from July, 2000, to the petitioner till duly selected candidates join the posts."

Referring the aforesaid, he submits that vide the aforesaid interim order, the opposite parties were directed to pay salary to the petitioner from Month of July, 2000 and the said writ petitioner was disposed of with the direction to the educational authorities to consider and decide the claim of the petitioner regarding payment of salary, within period of four months. He submitted that since then no decision has been taken and the D.I.O.S. has written a letter on 18.08.2025 to the Director. He submits that the decision has to be taken by the Director Secondary Education and that has not been taken as yet.

On the other hand, learned counsel for the State submits that the regularization of the petitioner has been considered and that has been rejected, therefore, the present petition is not entitled for any relief, though, he has failed to comment anything on non-payment of salary to the petitioner started from July, 2000 as was directed by Coordinate Bench of this Court on 25.08.2000.

Learned counsel for the State is directed to seek detailed instructions that why the payment of salary started from year 2000 has not been paid to the petitioner or why

any decision has not been taken as yet.

List/put up this matter in the next week, as fresh. "

Mr. Pankaj Patel, learned counsel for the State has placed instructions before this court dated 26-11-2025; of the District Inspector of Schools, Lucknow and the same is taken on record.

Referring the instructions, he submitted that the District Inspector of Schools has sent the arrears of salary; started from July, 2000 to July, 2006; for its payment before the Director, Secondary Education, U.P. Arth-I, Prayagraj, which is still pending consideration.

In view of the above, Mr. Pankaj Patel shall seek specific instructions that what decision is taken with respect to payment of arrears of salary after salary bills were sent by the District Inspector of Schools; with the recommendation for payment of the same.

List/put up this matter on 25-03-2026 at 02.15 P.M.

On the said date, the responsible officer of the directorate, Prayagraj, having the sufficient information with respect to the payment of the arrears of salary of the petitioner; shall join through the video conferencing."

4. Sri Ran Vijay Singh, learned Additional Chief Standing Counsel appearing for the State has placed written instructions dated 25.03.2026 duly signed by Mr. Surendra Kumar Tiwari, Additional Director, Secondary Education U.P. alongwith a letter dated 24.03.2026, which are taken on record.

5. Sri Ran Vijay Singh, on the basis of aforesaid instructions, submits that the letter dated 24.03.2026 was issued by Joint Director, Secondary Education, Finance addressed to D.I.O.S., Lucknow, and as sanction has been given for payment of Rs. 7,21,578/-, the said amount has already been credited in the account of the petitioner.

6. Mr. Surendra Tiwari, Additional Director, Secondary Education, U.P. has put in appearance through video conferencing. He has informed that the aforesaid amount has already been credited in the account of the petitioner.

7. Considering the statement of Mr. Surendra Tiwari, Additional Director, Secondary Education, U.P., it is evident that the amount of Rs. 7,21,578/-

has already been credited in the account of the petitioner. Accordingly, the petition has lost its efficacy. Therefore, the writ petition is **dismissed**.

8. However, it is open to the petitioner to move recall application, in case, the aforesaid amount is not credited in his account.

(Rajeev Singh,J.)

March 25, 2026

Arpan