



2026:AHC:48693

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3272 of 2026

Arun Kumar And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mithilesh Kumar Tiwari
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Mithilesh Kumar Tiwari, learned counsel for the writ petitioner and Sri Pramod Kumar Srivastava, learned Additional Chief Standing Counsel for the State.

2. The case of the writ petitioner is that so far as the writ petitioner no. 1 is concerned, he was appointed on the post of Store Keeper on 30.07.2003, he was thereafter promoted on the post of Senior Store Keeper on 20.09.2016, he completed diploma course in Civil Engineering as far as petitioner no. 2 is concerned, he was appointed as Store Keeper on 29.08.2003, he was promoted as Senior Store Keeper on 20.09.2016 he also completed the diploma course in Civil Engineering, petitioner no. 3 was initially appointed as Store Keeper on 02.11.2007, he was promoted on the post of Senior Store Keeper on 01.11.2017, he completed diploma course in Civil Engineering and the petitioner no. 4 was appointed as Junior Clerk on 21.01.2009, he completed the diploma course in Civil Engineering.

3. Prayer in the present petition is for a direction to the respondents to consider the claim.

4. Learned Addl. Chief Standing Counsel submits that the writ petitioners only possessed a right to be considered for promotion, however, the same is subject to eligibility, suitability and compliance of the rules. He thus submits that the claim of the writ petitioners needs adjudication at the first instance by the second respondent, Engineer-in-Chief (Civil), Irrigation and Water Resources Department, U.P., Lucknow.

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

6. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed of granting liberty to the writ petitioners to prefer a comprehensive representation along with the self-attested copy of the writ petition before the second respondent, who shall on the receipt of the same within a period of two weeks, proceed to decide the claim of the petitioners strictly in accordance with law within a period of four 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.

7. Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

8. With the aforesaid observation, the writ petition is disposed of.

(Vikas Budhwar,J.)

March 10, 2026

Rajesh