



2026:AHC:48850

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - A No. - 20136 of 2023**

Om Prakash

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)

: Amit Goel

Counsel for Respondent(s)

: C.S.C.

**With**

**WRIT - A No. - 3164 of 2026**

Om Prakash

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)

: Amit Goel, Arun Kumar Goyal, Rakesh  
Kumar Gupta

Counsel for Respondent(s)

: C.S.C.

**Court No. - 33**

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

1. Heard Sri Amit Goel, 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 he was appointed on the post of Constable on 15.08.1981 and thereafter, he was promoted on the post of Head Constable in the year 2014, Sub Inspector on 31.08.2018 and he retired on 28.02.2019, however, according to the writ petitioner, an order came to be passed on 05.06.2020 by the SSP, District Aligarh seeking to recover an amount of Rs. 8,92,617/-.

3. Questioning the said order, the leading writ petition came to be preferred which was entertained on 05.12.2023.

4. A counter affidavit as well as short counter affidavit came to be filed by the respondents to which rejoinder affidavit has been filed. Thereafter, as per the writ petitioner, an order came to be passed on 13.11.2019 by

the SSP, Aligarh whereby, there happen to be re-fixation of the pay scale while reducing it from Rs. 58,600/- to Rs. 50,500/- as per the writ petitioner, the same is unilateral behind the back of the writ petitioner. Learned counsel for the writ petitioner submits that so far as the leading writ petitioner is concerned, the same has rendered infructuous particularly when the amount of Rs. 8,92,617/- which was recovered have been refunded back to the writ petitioner on 23.10.2024. He further submits that so far as the connected writ petition is concerned, the order cannot be sustained.

5. Sri P.K. Srivastava, learned Additional CSC, on the other hand, submits that whatever might be insofar as the connected writ petition is concerned, the said writ petition has been presented before this Court on 25.02.2026 and the order impugned is dated 13.11.2019, there happens to be complete absence of any explanation for jumping the hurdle of delay and latches.

6. I have heard the submissions so made across the bar and perused the record.

7. Since the amount of Rs. 8,92,617/- stood refunded to the writ petitioner on 23.10.2024, thus, as per the statement made by learned counsel for the writ petitioner nothing remains to be further adjudicated hence, the leading writ petition is disposed of as infructuous.

8. With regard to the connected writ petition is concerned, since it is the grievance of the writ petitioner that he has not been put to notice, thus, the writ petitioner is to represent his cause before the SSP, District Aligarh while filing a comprehensive representation along with self attested copy of the writ petition and certified copy of the order by **27.03.2026** thereafter, the third respondent, SSP, District Aligarh shall proceed to issue a show cause notice and after submission of the reply to the same, final orders be passed within a further period of three months. Any re-fixation so done shall abide by the final orders to be passed therein.

9. With the aforesaid observations, the writ petitions stand disposed of.

**(Vikas Budhwar,J.)**

**March 10, 2026**

Rajesh