



2026:AHC:49407

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 162 of 2026

Matendra Singh Pal

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ramesh Chandra Tiwari
Counsel for Respondent(s)	:	Azad Rai, C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Ramesh Chandra Tiwari, learned counsel for the petitioner and Sri Gaya Prasad, learned Additional Chief Standing Counsel, who appears for State-respondents as well as Sri Azad Rai, counsel for the Gaon Sabha.
2. This court entertained this petition on 10.02.2026 while directing the learned Standing Counsel to obtain instructions and thereafter the matter was fixed for today. Instructions have been supplied by Sri Gaya Prasad, 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 selected as Gram Rozgar Sewak in Gram Panchayat Badagaon, Block Bhitaura, District Fatehpur and an agreement stood executed on 16.07.2012. As per the writ petitioner, he has been discharging his duties on his post on his post efficiently and diligently. However, in the year 2021, Panchayat Elections were held in which the sister-in-law of the writ petitioner, namely, Meera Devi contested Gram Panchayat Election against the Gram Pradhan, Smt. Manju Devi(respondent no. 8) and she was declared selected which became ill-will with the writ petitioner and thereafter complaint stood lodged against the writ petitioner regarding misappropriation while taking away the benefits which were entitled to be accorded to the beneficiaries. The writ petitioner responded to the show cause notice, however, the writ petitioner was not allowed to perform the duties and further there happened to be ex-parte

inquiry conducted against the writ petitioner and on 24.10.2022, the Deputy Commissioner (Labour Employment) District Fatehpur had issued a communication addressed to the Block Development Officer/ Karyakram Adhikari, Block- Bhitaura, District Fatehpur regarding the working and the payment of the honorarium to the writ petitioner.

4. Prayer in the present petition is for a direction to the respondents to permit the writ petitioner to work on the post of Gram Rozgar Sewak.

5. This Court entertained the writ petition on 10.02.2026 while passing the following orders:

"1. Heard Shri R.C. Tiwari, learned counsel for the petitioner and Shri Azad Rai, learned counsel for the respondent no. 7 and Shri Prem Shanbker Mishra, learned standing counsel for the State respondents.

2. Vide order dated 21.10.2022 the Dy. Commissioner (Labour Employment), Fatehpur has directed the village panchayat to take appropriate action against the petitioner herein and to also ensure that till the date the petitioner has been permitted to work, his payment will be made.

3. Learned counsel for the petitioner submits that since thereafter no action has been taken pursuant to the aforesaid order dated 21.10.2022.

4. In view of the above, learned counsel for the respondent no.7 is directed to obtain specific instruction with regard to the order dated 21.10.2022 as to what action has been taken in compliance thereof.

5. Put up this matter on 9.3.2026, as fresh, before the appropriate Bench."

6. Post passing of the order, today instructions have been forwarded under the signature of Block Development Officer, Block- Bhitaura, District Fatehpur, dated 10.03.2026 which is taken on record and marked as Appendix A.

7. Learned counsel for the writ petitioner has submitted that first of all no orders have been served upon the writ petitioner while dispensing with the engagement of the writ petitioner. Further submission is that the writ petitioner has also not been paid the honorarium/ remuneration for the period when he had worked and he seeks to rely upon the communication dated 24.10.2022 of the Deputy Commissioner (Labour Employment) District

Fatehpur addressed to the Block Development Officer/ Karyakram Adhikari, Block- Bhitaura, District Fatehpur. Further submission is that in view of the departmental letter dated 12.11.2010 until and unless the fresh appointee as Rozgar Sewak is appointed, the writ petitioner is to continue in service and there is nothing adverse against the writ petitioner.

8. Sri Gaya Prasad, learned Additional Chief Standing Counsel as well as Sri Azad Rai, counsel for the Gaon Sabha on the other hand submits that whatever may have been submitted that there happens to be a resolution of the Gaon Sabha dated 28.03.2022 whereby a proposal was made to dispense with the services of the writ petitioner and further the writ petitioner has been paid the remuneration/ honorarium for the period from 01.03.2022 to 27.03.2022 and now nothing further remains to be paid.

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

10. Apparently, the writ petitioner happened to be a Gram Rojgar Sewak whose engagement as per the instructions came to be dispensed with by virtue of a resolution of the Gaon Sabha dated 28.03.2022. The communication which is at page 87 of the paperbook dated 21.10.2022 of the Deputy Commissioner (Labour Employment) District Fatehpur addressed to the Block Development Officer does not indicate that the services of the writ petitioner stood dispensed with by virtue of the resolution of the Gaon Sabha dated 28.03.2022. Further the writ petitioner is also disputing the fact that he has not been paid the full honorarium/ remuneration which he is entitled to be paid since factual issues has been arisen and the writ petitioner has questioned the disengagement thus in the fitness of the matter, a conscious decision is to be taken and as per the stand taken by the respondents, it is Block Development Officer/ Karyakram Adhikari, Block- Bhitaura, District Fatehpur who is to accord consideration.

11. 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 sixth respondent, Block Development Officer/ Karyakram Adhikari, Block- Bhitaura, District Fatehpur 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.

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

March 11, 2026

Ashu

(Vikas Budhwar,J.)