



2026:AHC:50752

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3013 of 2026

Tribhuwan Prasad Dwivedi

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Faizan Siddiqui, Irfan Ahmad Malik, Pratibha Ojha
Counsel for Respondent(s)	: C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Irfan Ahmad Malik, learned counsel for the petitioner and Sri Rahul Malviya, learned Standing Counsel, who appears for State-respondents.
2. This court entertained this petition on 26.02.2026 while directing the learned Standing Counsel to obtain instructions and thereafter the matter was fixed for today. Today instructions have been forwarded under the signature of Commandant, 4th, Battalion, Prayagraj, dated 09.03.2026 which is taken on record and marked as Appendix A.
3. The case of the writ petitioner is that he was selected on the post of Constable in the year 1984 thereafter he was promoted on the post of Head Constable. As per the writ petitioner, the basic pay of the writ petitioner was Rs. 64,100/- which according to the writ petitioner has been reduced to Rs. 60,400/-. The writ petitioner claims to have retired on 31.07.2024. As per the writ petitioner now refixation has been done while reducing the pay-scale of the writ petitioner from Rs. 64,100/- to Rs. 60,400/-. The same has been done without putting to notice the writ petitioner and without passing any order.
4. Instructions have been forwarded, according to which, before his retirement, the writ petitioner has submitted an unofficial order and on the said basis, the pay-scale has been reduced. The writ petitioner disputes the same.
5. Prayer in the present petition is for a direction to the respondents to

consider the claim.

6. Learned Standing Counsel submits that the claim of the writ petitioner needs adjudication at the first instance by the third respondent, Commandant 4th Battalion PAC, Prayagraj.

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

8. 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 third respondent, who shall on the receipt of the same within a period of two weeks, 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 third 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.

9. 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.

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

March 12, 2026

Ashu

(Vikas Budhwar,J.)