



2026:AHC:45198

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3061 of 2026

Kanhaiya Lal

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kamal Nayan, Nand Kishore Singh
Counsel for Respondent(s)	:	C.S.C., Rishu Mishra

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Nand Kishore Singh, learned counsel for the writ petitioner, Sri Gaurav Singh, learned Standing Counsel for the State and Ms. Rishu Mishra, learned counsel for Respondent no.3.

2. The grievance of the writ petitioner is that he was appointed on Class-III post as Junior Clerk vide order dated 30.10.1985, he was promoted as Senior Assistant on 31.05.1997 and superannuated on 30.11.2025, however, the writ petitioner has not been paid the leave encashment for 300 days. Reliance has been placed upon a decision in Special Appeal No.702 of 2022, The Finance Controller, Basic Shiksha Parishad vs. Badri Nath Tiwari and others, decided on 06.01.2023.

3. Learned Standing Counsel as well as counsel appearing for Respondent no.3 on the other hand submits that the claim of the writ petitioner needs adjudication at the first instance by Respondent no.3.

4. Considering the submissions so made across the Bar, the writ petition stands **disposed of** directing the writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition and the certified copy of the order before Respondent no.3, who on the said motion shall proceed to consider the claim of the writ petitioner strictly in accordance with law within a period of two months, from the date of production of certified copy of the order.

February 27, 2026

N.S.Rathour

(Vikas Budhwar,J.)