



2026:AHC:49366

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3363 of 2026

Jitendra Pal Nishad

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

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

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Vijay Kumar, learned counsel for the writ petitioner and Sri R.S. Umrao, learned Standing Counsel for the State.

2. The case of the writ petitioner is that he was selected on the post of Constable pursuant to the declaration of the result on 15.05.2018 and appointment order came to be issued on 18.07.2018, however, owing to lodging of a criminal case being Case Crime No. 1111 of 2015 under Sections 147, 148, 325, 323, 504, 506, 308 IPC. The writ petitioner was suspended from the service and an ex parte report came to be submitted and the writ petitioner's appointment was cancelled on 13.02.2019 which was subject matter of challenge in Writ-A No. 6670 of 2019 which came to be disposed of on 28.04.2022 quashing the order dated 13.02.2019 and permitting the writ petitioner to appear for training and thereafter, the writ petitioner was reinstated in service by virtue of the order dated 05.06.2022. The grievance of the writ petitioner is that he is not being accorded salary for the period from 31.10.2018 to 08.06.2022 in the light of the fact that the writ petitioner has also been acquitted in the criminal case.

3. Learned Standing Counsel submits that the claim of the writ petitioner needs adjudication at the first instance by third respondent, Superintendent of Police, Azamgarh, District Azamgarh.

4. Considering the submission so made across the bar, the writ petition stands **disposed of** directing the writ petitioner to submit a comprehensive

representation along with self attested copy of the writ petition and certified copy of the order before the third respondent, Superintendent of Police, Azamgarh, District Azamgarh by **27.03.2026**. Thereafter, the third respondent shall decide the claim of the writ petitioner within a period of two months.

(Vikas Budhwar,J.)

March 11, 2026

Rajesh