



2026:AHC:49344

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 3372 of 2026

Bharat Singh

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Harish Chandra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Harish Chandra, learned counsel for the writ petitioner and Sri Gaya Prasad Singh, learned Standing Counsel for the State.
2. Sri Gaya Prasad Singh, learned Standing Counsel has made a statement that he is well equipped with the instructions and is in a position to argue the case. He does not propose to file any counter affidavit and he further submits that the writ petition be decided on the basis of the documents available on record.
3. With the consent of the parties, the writ petition is being decided at the fresh stage.
4. The case of the writ petitioner is that he was appointed as a Safai Karmchari on 27.08.2008, however, an FIR came to be lodged on 03.10.2012 being Case Crime no.349 of 2012, under Section 307 IPC. The writ petitioner was arrested and on 03.03.2015, the writ petitioner was enlarged on bail. The writ petitioner came to be reinstated in service on 09.04.2015, but the payment of the salary from 09.02.2015 to 03.03.2015 was remained suspended and was not paid. An order came to be passed on 09.04.2015 denying the payment of salary for the period under suspension by District Panchayat Raj Officer, Amroha.
5. Questioning the same, the present writ petition has been preferred.
6. Learned counsel for the writ petitioner has submitted that the criminal case, pursuant where to the writ petitioner was placed under suspension and was arrested, resulted in acquittal in Sessions Trial No. 119 of 2015, State of

U.P. Vs. Sukesh and others on 25.11.2022. Thus the order in question needs to be revisited.

7. Sri Gaya Prasad Singh, learned Standing Counsel on the other hand submits that whatever might be, on the date when the order dated 09.04.2015 came to be passed by the District Panchayat Raj Officer, there was no order of acquittal. However, according to him, matter needs to be revisited.

8. I have heard the submissions so made across the Bar and perused the records carefully.

9. Facts are not an issue. It is not in issue that the writ petitioner was placed under suspension on the ground that he was arrested in relation to a criminal case, which has resulted in acquittal. Since the order denying the salary for the period of suspension came to be passed on 09.04.2015 and now, the writ petitioner stands acquitted in the said criminal case on 25.11.2022, thus with the subsequent events, so emanating, matter needs to be revisited.

10. Accordingly, 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.2, who shall thereupon revisit the matter in light of the acquittal order and pass an appropriate order within a period of two months, bearing in mind the decision in Writ-A No.11555 of 2021, Anil Kumar Singh vs. State of U.P. decided on 13.03.2014.

March 11, 2026

N.S.Rathour

(Vikas Budhwar,J.)