HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - A No. - 4963 of 2026

Diploma Engineers Association U.P. Jal Nigam (Urban)Thru. General Secretary .....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Urban Development Deptt. Lko. And 3 Others .....Respondent(s)

Counsel for Petitioner(s)	:	Shobhit Mohan Shukla, Aviral Singh, Kushagra Singh
Counsel for Respondent(s)	:	C.S.C., Anindya Shastri, Rishabh Kapoor

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Court No. - 4

HON'BLE SYED QAMAR HASAN RIZVI, J.

1. Sri Shobhit Mohan Shukla, learned Counsel for the petitioner; Sri Akhilesh Chaturvedi, learned Additional Chief Standing Counsel appearing on behalf of the State/opposite party No. 1, and Miss Pritika Srivastava, Advocate, holding brief of Sri Anindya Shashtri, learned counsel for the opp. party No. 4, are present.

2. Notice on behalf of the opposite parties No. 2, 3 and 4 has been accepted by Sri Rishabh Kapoor, Advocate.

3. The present writ petition has been filed by the petitioner Association stating that its members are working on different posts of Junior Engineers and are aggrieved by the allocation of Junior Engineers (Civil), Assistant Engineers (Civil), Assistant Engineer (Electrical) and Assistant Engineer (Mechanical) between U.P. Jal Nigam (Urban) and U.P. Jal Nigam (Rural) after division of the erstwhile Uttar Pradesh Jal Nigam on 09.09.2021.

4. Submission of learned counsel appearing on behalf of the petitioner is that the allocation has been made without seeking options from the members of the petitioner Association and without maintaining the combined seniority ratio. It is further submitted that higher number of posts have been allocated to the Rural Corporation whereas lesser number of incumbents have been allocated to Rural Corporation, resulting in faster promotional avenues for employees allocated to the Rural Corporation and stagnation for the members of the petitioner

Association.

5. It has further been contended that the Construction and Design Services of the Nigam have been allocated exclusively to the Urban Corporation, however, the posts of Assistant Engineers (Construction and Design Services) have been allocated between the Urban and Rural Corporations in the ratio of 50:50, thereby adversely affecting the promotional prospects of the members of the petitioner Association. It is also contended that while allocating incumbents working at the headquarters, the principle of 1:1 ratio from the seniority list was followed, but the same principle was not adopted in respect of other members of the petitioner Association.

6. The further grievance raised is that although service advancement benefits are required to be protected under the provisions of the Uttar Pradesh Water Supply and Sewerage Act, 1975, after the enactment of the Uttar Pradesh Water Supply and Sewerage System (Amendment) Act, 2021 and consequent bifurcation of the Nigam, the members of the petitioner Association are being denied promotional benefits on account of the manner in which allocation has been made. It has been urged that as a consequence thereof, employees junior to the members of the petitioner Association have already been promoted while the members of the petitioner Association continue to remain deprived of consideration for promotion.

7. The matter requires consideration.

8. Counter affidavit be filed by the opposite parties within 6 weeks. Rejoinder affidavit, if any, may be filed by the petitioner within 2 weeks, thereafter.

9. List this case immediately after the expiry of the aforesaid period.

June 4, 2026
A.Nigam

(Syed Qamar Hasan Rizvi,J.)

Digitally signed by :-
ANUJ NIGAM
High Court of Judicature at Allahabad,
Lucknow Bench