2026:AHC-LKO:40329-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - C No. - 5092 of 2026

Hargovind Sethi

.....Petitioner(s)

Versus

The Chief Election Commission, U.P. Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sarveshwar Mehrotra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 3

HON'BLE JASPREET SINGH, J.
HON'BLE INDRAJEET SHUKLA, J.

1. Heard learned counsel for the petitioner. Notice on behalf of the respondents No.2 and 3 has been accepted by the office of the Chief Standing Counsel.

2. By means of the instant petition, the petitioner prays for the following main relief:-

> "To issue a writ, order or direction in the nature of mandamus commanding to the respondent no.1, 2 and 3 to act upon completely and in pursuance of the order dated 09.01.2026 passed in Writ Petition No. Writ-C No.4743 of 2015: Hargovind Sethi v. The Chief Election Commission U.P. Anubhag-1 Lucknow And 2 Ors. and to take an appropriate decision on the recommendations of 2 committees i.e. the district level committee and the 3 members committee and pass an appropriate reasoned and speaking orders without any arbitrary and whimsical approach wherein out of the total amount of Rs.4,93,112 (Rupees Four Lakhs Ninety Three Thousand One Hundred and Twelve Only), only a sum of Rs 4,43,801/- (Rupees Four Lakhs Forty Three Thousand Eight Hundred and One Only) has been said to have been paid to the petitioner as per order dated 05.03.2026. However actual payment which was made to the petitioner was only Rs.

> 4,34,925/- (Rs. Four Lakhs Thirty Four Thousand Nine Hundred Twenty Five) and an amount of Rs. 58,187/- (Rs. Fifty Eight Thousand One Hundred Eighty Seven) has been illegally withheld and interest @ 24% compound demanded by the petitioner from the date of non-payment i.e. from the year 2009, has also not been paid by the Respondents to which the Petitioner is entitled and the petitioner has suffered on account of the non-payment of the amount towards principal and interest for which he is legally entitled as contained in Annexure No.1 and Annexure No. 3 to the writ petition."

3. A specific query was put to the learned counsel for the petitioner regarding the directions given by a Coordinate Bench of this Court in Writ-C No.4743 of 2015. It has been pointed out that a copy of the order has been brought on record as Annexure No.3.

4. Having considered the aforesaid, it appears that there were certain outstanding disputes between the petitioner and the respondents. Considering the same, the Court had issued certain directions, which have been mentioned in the said order dated 09.01.2026 and the relevant portion thereof is being reproduced hereinafter for ready reference:-

> "7. In the supplementary counter affidavit, it has been stated that the recommendation made by the District Level Committee having been examined by the three-members committee constituted by the Chief Election Officer was found to be baseless and no recommendation for payment could be made.
>
> 8. Since the matter is old and has been pending since 2009, and the final decision with regard to the payment has to be taken by the Chief Election Officer, we find it appropriate to dispose of this petition with a direction to the respondent no.1 to take an appropriate decision on the recommendation of two Committees i.e. the District Level Committee and the three-members Committee and pass an appropriate reasoned and speaking orders, strictly in accordance with law, within a

period of eight weeks from the date a copy of this order is produced before him."

5. It is in furtherance of the aforesaid directions, a sum of Rs.4,43,801/- has been paid to the petitioner which is not in dispute.

6. At this stage, the contention of the learned counsel for the petitioner is that he had to recover the larger amount to the tune of Rs.4,43,801/- has been paid. The respondents have not indicated as to why they have not paid a sum of Rs.58,187/- along with interest @ 24% compounded with effect from the year 2009.

7. Learned counsel for the petitioner submits that even the amount which has been indicated in the impugned order has not been paid rather the amount is Rs.4,34,325/- has been paid.

8. Apparently, the amount has been received by the petitioner in pursuance of the representation, which was required to be decided. Any grievance regarding outstanding amount payable with the petitioner for recovery of other amount is always open to agitate before the appropriate forum/Court.

9. For the aforesaid purpose, this Court does not deem it appropriate to entertain the petition. It is accordingly **dismissed with the aforesaid observations**.

(Indrajeet Shukla,J.) (Jaspreet Singh,J.)

June 5, 2026
Rakesh/-

Digitally signed by :-
RAKESH PRAJAPAT
High Court of Judicature at Allahabad,
Lucknow Bench