2026:AHC:210038

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16484 of 2026

Ram Prasad And Another

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dharmendra Kumar Tripathi, Shashank Tripathi
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE MANISH KUMAR NIGAM, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

2. The instant writ petition has been filed for the following relief:

> *"(I) Issue a writ, order or direction in the nature of mandamus, directing the respondent No.3 to consider the seasonal service of petitioners as regular service and to give the financial benefit as per circular dated 01.08.1967 as well as per Rule 26 of the Financial Hand Book Part-II and the petitioners' service may be treated under Old Pension Scheme in the light of the judgment of Hon'ble Apex Court in the case of Prem Singh Vs. State of U.P. and others. 2019 (10) SCC 516, within stipulated period, specified by this Hon'ble Court.*
>
> *(II) Issue a writ, order or direction in the nature of mandamus, directing the respondent No.3 to consider the claim of the petitioners, considering the judgment dated 02.09.2019 passed by the Hon'ble Apex Court in the case of Prem Singh Vs. State of U.P. and others, 2019 (10) SCC 516, order dated 08.10.2021 passed by this Hon'ble Court in Writ-A No.5817/2020, Kaushal Kishore Chaubey and others Vs. State of U.P. and others as well as in the case of Board of Revenue Vs. Prasidha Narayan, within stipulated period, specified by this Hon'ble Court."*

3. Contention of the learned counsel for the petitioner is that the petitioner is seeking financial benefit as per circular dated 01.08.1967 as well as per Rule

26 of the Financial Hand Book Part-II and the petitioners' service may be treated under Old Pension Scheme in the light of the judgment of Hon'ble Apex Court in the case of Prem Singh Vs. State of U.P. and others. 2019 (10) SCC 516.

4. Learned Standing Counsel has submitted that no useful purpose would be served in keeping this petition pending and it would be appropriate that the petitioner may approach the respondent authority by moving a fresh representation which will be decided within a time frame as fixed by this Court.

5. In view of the above, the petitioner is permitted to move a fresh representation within a week. In case, such representation is filed by the petitioner within a week, the same shall be decided, by respondent authorities, in accordance with law, expeditiously, preferably within a period of next **twelve weeks** after giving opportunity of hearing to the parties concerned provided that there is no other legal impediment.

6. With the aforesaid direction, this petition stands **disposed of**.

(Manish Kumar Nigam,J.)

October 7, 2026
Ved Prakash

Digitally signed by :-
VED PRAKASH SHARMA
High Court of Judicature at Allahabad