2026:AHC:209801-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

SPECIAL APPEAL No. - 1144 of 2026

Shriprakash

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Pranesh Kumar Mishra
Counsel for Respondent(s)	:	Adarsh Bhushan, C.S.C.

Court No. - 39

HON'BLE SAUMITRA DAYAL SINGH, J.
HON'BLE SWARUPAMA CHATURVEDI, J.

1. Heard Sri Pranesh Kumar Mishra, learned counsel for the original petitioner/appellant, Sri Adarsh Bhushan, learned counsel for the respondent no. 2 and Sri Ankit Gaur, learned Staning Counsel for the State.

2. Having heard the learned counsel for the parties and having perused the record, we find no good ground to interfere with the order of the learned single judge dated 03.09.2026 in **Shriprakash Vs. State of U.P. and Another, 2026:AHC:185124**.

3. At present, the petitioner had approached the Court against the minor penalty order dated 31.07.2026. The writ petition has been dismissed in face of efficacious statutory alternative remedy of appeal. Liberty has been granted to the petitioner to file such appeal.

4. On merits, it has been submitted that opportunity of hearing was denied to the petitioner and also he was not afforded due opportunity to represent against the inquiry report. Other grounds have also been pressed.

5. To the extent, learned single judge has recognized existence of statutory remedy, wherein the petitioner may be enabled to raise all objections including as to violation of natural justice and further to the extent that remedy may be wholly efficacious in the facts and circumstances of the case and also keeping in mind the fact that such writ petitions, if entertained by this Court, may take years to decide, owing to long pendency of cases, we find no error on principle exists in the order of learned single judge declining

to entertain the writ petition. To the extent, exercise of discretionary jurisdiction has been declined on valid consideration, we do not find any good ground to take any other view in the matter.

6. In view of the above, the appeal is **disposed of** with the observations, subject to the petitioner filing statutory remedy of appeal within a period of two weeks from today along with stay application against recoveries, that appeal and/or the stay application may be dealt with and decided as expeditiously as possible such that appropriate order may be passed on the stay application, within a period of two weeks from the date of its filing or the appeal itself may be disposed of within a period of three months from its institution, subject to the petitioner cooperating in the proceedings and further subject to his not seeking any adjournments in the matter.

(Swarupama Chaturvedi,J.) (Saumitra Dayal Singh,J.)

October 7, 2026

#Vikram/-

Digitally signed by :-
VIKRAM GUPTA
High Court of Judicature at Allahabad