2026:AHC:230764

HIGH COURT OF JUDICATURE AT ALLAHABAD

CONTEMPT APPLICATION (CIVIL) No. - 8011 of 2026

Brajesh Kumar Bagwar

.....Applicant(s)

Versus

Mr Parth Sarthi Sensharma, Principal Secretary (Basic Edeucation), Govt. Of Uttar Pradesh And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Girish Chandra Maurya
Counsel for Opposite Party(s) :

Court No. - 7

HON'BLE PIYUSH AGRAWAL, J.

Heard learned counsel for the applicant(s).

Vide order dated 22.1.2026 passed in Writ A No. 19634/2025 filed by the applicant(s), the writ Court directed as under:

" 8. This Court, while exercising its extraordinary jurisdiction under Article 226 of the Constitution of India, has repeatedly noticed a disturbing pattern wherein a large number of Assistant Teachers have secured appointments on the strength of forged and fabricated certificates, fake documents, or by deliberate concealment of material facts. Such persons continue to remain in service for years together, openly in collusion with the management of the institutions and, in many cases, with the active connivance or tacit approval of the concerned Basic Shiksha Adhikari.

9. It is a matter of serious concern that despite issuance of several circulars and instructions by the State Government from time to time, the authorities entrusted with the duty of maintaining purity in the education system have failed to take effective and timely action against such illegal appointments. The inaction on the part of the authorities not only perpetuates fraud but also strikes at the very root of the education system, causing grave prejudice to the interest of students, which is of paramount and overriding consideration for this Court.

10. In such circumstances, and in order to uphold the rule of law, protect the larger public interest, and ensure that the education imparted to children is not compromised, this Court is left with no other option but to issue a mandamus directing the Principal Secretary, Basic Education, to undertake a comprehensive and time-bound scrutiny of the appointments of Assistant Teachers across the State.
11. The Principal Secretary shall ensure that appropriate action, strictly in accordance with law, is taken against all such teachers who have obtained appointment by playing fraud upon the authorities, including cancellation of appointments and recovery of salary, wherever permissible. Simultaneously, stringent disciplinary and penal action shall also be initiated against those officials who are found to have colluded with, abetted, or deliberately ignored such fraudulent appointments. The entire exercise shall be completed expeditiously, preferably within a period of six months from the date of receipt of a certified copy of this order.

12. Registrar Compliance of this Court is directed to communicate this order to the Principal Secretary, Department of Basic Education, Government of Uttar Pradesh, Lucknow as well as Principal Secretary (Law) & L.R., Government of U.P., Lucknow, for its compliance forthwith. "

Learned counsel for the applicant(s) submits that a certified copy of the aforesaid order was submitted for compliance before the opposite party(s), but the opposite party(s) has willfully not complied with the order and, thus, has committed civil contempt liable for punishment under Section 12 of the Contempt of Courts Act, 1971.

Prima facie, a case of contempt has been made out for punishing the opposite party(s) for willful disobedience of the writ Court order. However, considering the facts and circumstances of the case, one more opportunity is accorded to the opposite party(s) to comply with the aforesaid order of the writ Court in its letter and spirit within **three months** from the date of production of a copy of this order.

The applicant(s) shall supply a duly stamped registered envelope

addressed to the opposite party(s) and another self-addressed stamped envelope to the office within one week from today. The office shall send a copy of this order along with the self-addressed envelope of the applicant(s) with a copy of contempt application to the opposite party(s) within one week thereafter and keep a record thereof.

The opposite party(s) shall comply with the directions of the writ Court and intimate the applicant(s) of the order through the self-addressed envelop within a week thereafter.

With the aforesaid observations, this application is disposed of at this stage with liberty to the applicant(s) to move a fresh application, if the order is not complied with by the opposite party(s) within the stipulated time as aforementioned.

(Piyush Agrawal,J.)

November 5, 2026
Rahul Dwivedi/-

Digitally signed by :-
RAHUL DWIVEDI
High Court of Judicature at Allahabad