



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1658 of 2026

Mohd Mohsin

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kishan Gautam
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Contention of the learned counsel for the writ petitioner is that the writ petitioner happens to be the Panchayat Secretary, however, without following the provisions contained under Rule 256 and 257 sub clause (2) proviso (3), the recovery proceedings have been initiated. Attention has been drawn towards para 5 of the writ petition so as to contend that the impugned proceedings are time barred beyond four years and further according to the writ petitioner, the copy of the alleged report of the Chief Audit Officer has not been served.

2. Sri Prashant Kumar Mishra, learned Standing Counsel, on the other hand, submits that Section 27 of the Panchayat Raj Act, 1973 would apply with full rigor and the writ petitioner was served the copy of the report of Chief Audit Officer and according to him, the nullification period is stings. Reliance has also been placed upon the judgment in Gram Vikas Adhikari Sangh vs. State of U.P.: Writ Petition No. 42429 of 2024 so as to further contend that the writ petitioner being Officiating Secretary of the Gram Panchayat is governed under Section 27 of the Panchayat Raj Act.

3. Matter requires consideration.

4. Put up this case on **12.03.2026** in the additional cause list.

5. Till 12.03.2026 there shall be no recovery against the writ petitioner pursuant to the order dated 05.11.2025 and 31.12.2025 made.

February 20, 2026
Rajesh

(Vikas Budhwar,J.)