



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2389 of 2026

Ashwini Kumar

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Dinesh Chandra Mishra,
Pragati Mishra
Counsel for Respondent(s) : C.S.C., Harshit Pandey

Court No. - 34

HON'BLE VIKRAM D. CHAUHAN, J.

1. Learned counsel for petitioner, Sri Harshit Pandey, learned counsel for respondent no.4 and learned Standing Counsel for the State are present.
2. It is submitted by learned counsel for petitioner that petitioner is retired employee and retiral benefits were fixed after adding adhoc services of petitioner. Now subsequently, respondents are recovering a sum of Rs.2,59,602/- on the ground that adhoc services of petitioner has been incorrectly taken into consideration while determining the retiral dues. Learned counsel for petitioner submits that it is settled law that adhoc services of employee would be counted in view of the judgment of the Supreme Court in **Prem Singh Vs. The State of Uttar Pradesh and others, AIR 2019 SC 4390.**
3. Issue notice to respondent no.3.
4. Steps be taken within ten days.
5. Learned counsel for respondents prays and are granted three weeks' time to file counter affidavit.
6. List on 23.4.2026.

7. Until further order, the effect and operation of impugned order dated 30.5.2025 passed by respondent no.3, shall remain stayed. Respondents are restrained from recovering the amount from the petitioner except with the leave of this Court.

February 18, 2026
D. Tamang

(Vikram D. Chauhan,J.)