



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 4737 of 2026

Khurshid Ahmad

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Aurangzeb Khan, Ziya Uddin
Counsel for Respondent(s)	:	C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Petitioner while working on the post of Head Constable in Civil Police superannuated from his services on 31.12.2024. At the time of his retirement a basic salary of the petitioner was Rs.64,100/-. Hence became entitled for the pension of Rs.32050/- but wholly illegally the pension of the petitioner was allocated as Rs.30200/- on account of which the petitioner is suffering for irreparable loss.

2. A large number of cases are coming before this Court everyday with identical prayers. The aforesaid question has already been decided by this Court in **Writ A No.2471 of 2016 (Shiv Bahadur Singh vs. State of U.P. and others)** decided on 27.02.2026. Relevant paragraph of which reads as follows:-

"12. Considering aforesaid pronouncements, it is evident that the impugned orders are clearly against the dictum enunciated by Hon'ble the Supreme Court in the aforesaid judgments. In view thereof, the impugned order(s) is/are hereby quashed by issuance of writ in the nature of Certiorari. Further a writ in the nature of Mandamus is issued commanding the opposite parties to determine pension and pensionary benefits admissible to petitioner on the basis of the last pay drawn.

13. Resultantly, the petition succeeds and is allowed. "

3. In this view of the matter, the Respondent No.1 namely Secretary Home, Government of U.P. at Lucknow as well as Respondent No.3 namely Commissioner of Police, Commissionerate, Varanasi are directed

to file their personal affidavit that under what circumstances the pension of the retired employee was not paid as per the last pay drawn and the same has been reduced without providing any notice or opportunity to him.

4. The aforesaid affidavit be filed within a period of one week from today.

5. List this matter on 15.04.2026.

6. The matter will be taken up at 10:00 a.m. sharp.

7. Registrar (Compliance) is directed to communicate the copy of this order to the Respondent Nos.1 namely Secretary Home, Government of U.P. at Lucknow as well as Respondent No.3 namely Commissioner of Police, Commissionerate, Varanasi through concerned C.J.M. forthwith.

(Prakash Padia,J.)

April 6, 2026

Swati