



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 15344 of 2025

Ram Sanehi Lal

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rakesh Kumar Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 18

HON'BLE KSHITIJ SHAILENDRA, J.

1. Heard Shri Umesh Vats, learned Senior Counsel assisted by Shri Bharat Garg, learned counsel for the petitioner and Ms. Archana Tyagi, learned A.C.S.C. for the State-respondents.

2. The case of the petitioner is that earlier he was working as Tubewell Mechanic. By order dated 03.09.2015, he was demoted to the post of Helper, however, the said order was found to be illegal and set aside by the Competent Authority on 06.12.2019. Based upon the said order, a representation was made by the petitioner which was not considered by the Department and, consequently, the petitioner filed Petition No.315 of 2020 before the U.P. Public Service Tribunal, Lucknow which was disposed of on 03.03.2020 directing the Authority to decide the representation filed by the petitioner in the light of the fact that the demotion order had been set aside. It is further stated that till today, the petitioner is being paid salary of a Helper though his demotion does not survive and, therefore, he is entitled to get salary for the post of Tubewell Mechanic.

3. From the material appended alongwith writ petition, it, *prima facie*, stands reflected that order demoting the petitioner from the post of Tubewell Mechanic to Helper is not in existence since 06.12.2019 and, therefore, there does not, *prima facie*, appear to be any valid reason as to why the petitioner is still being treated as Helper and is getting salary for the said post. However, no final opinion can be formed in this regard unless time is granted to the learned A.C.S.C. to obtain instructions in this

regard.

4. Accordingly, learned A.C.S.C is directed to obtain instructions on the following points:

(i). Whether the demotion order dated 03.09.2015 is still existent?

(ii). Whether the order dated 06.12.2019, 'Annexure No.14' to the writ petition, was ever challenged before or set aside by any competent court of law?

(iii). What is the pay-scale admissible to a Tubewell Mechanic?

(iv). What is the pay-scale applicable to a Helper?

(v). Submit a chart disclosing the salary paid to the petitioner after 06.12.2019 till today.

5. In case, the Court is satisfied on the next date that the demotion order does not survive since after 06.12.2019, appropriate order shall be passed.

6. Put up this case on **03.12.2025** as **fresh** before appropriate Bench.

(Kshitij Shailendra,J.)

November 7, 2025

Jyotsana