

Chandra Bhan Yadav And Another vs State Of U.P. And 5 Others on 28 March, 2025

Author: Ajit Kumar

Bench: Ajit Kumar

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44067

Court No. - 4

Case :- WRIT - A No. - 3915 of 2025

Petitioner :- Chandra Bhan Yadav And Another

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Raghvendra Pratap Singh

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

1. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the State respondents.
2. By means of this petition filed under Article 226 of the Constitution, petitioners have questioned recovery of the commutation amount given to the petitioners, by means of installments from pension.
3. It is argued by learned counsel for the petitioners that since amount paid as commutation has already stood recovered, further recovery from the pension of petitioner is bad even though rules

provide for deductions for a period of 15 years.

4. Learned Standing Counsel submits that the controversy is no more res integra in the light of judgment of Division Bench of this Court in the case of Ashok Kumar Agarwal and others v. Union of India and another passed in Writ - A No.- 17819 of 2024 decided on 15th January, 2025 which has also been followed by a coordinate Bench of this Court in the case of Radheshyam Shukla and others v. State of U.P. and others along with bunch matters passed in Writ - A No.- 19031 of 2024 decided on 6th March, 2025.

5. Learned counsel for the petitioner could not dispute the above facts, nor could take any plea that above judgments are distinguishable on law or on facts. Learned counsel for the petitioner also could not place any judgment of Supreme Court to hold that judgments relied upon by learned Standing Counsel are not binding judicial precedents.

6. In view of the above, no indulgence can be granted by this Court in such matter.

7. Thus petition is dismissed in the light of the law laid down in aforesaid quoted authorities of this Court.

Order Date :- 28.3.2025 Deepika