



2026:AHC:80501

**A.F.R.**

Reserved on: 31.03.2026

Delivered on:13.04.2026

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - A No. - 18434 of 2025**

Smt. Meenakshi Sharma and another

.....Petitioner(s)

Versus

State of U.P. and 3 others

.....Respondent(s)

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Counsel for Petitioner(s) : Adarsh Singh, Adwait Singh, Sr.  
Advocate  
Counsel for Respondent(s) : C.S.C.

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**Along with :**

1. **Writ - A No. 14225 of 2025:**

Smt. Meenakshi Sharma and another

Versus

State of U.P. and 3 others

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**Court No. - 52**

**HON'BLE MRS. MANJU RANI CHAUHAN, J.**

1. Heard Mr. Adarsh Singh, learned counsel for the petitioners, Mr. Radhe Shyam Gupta, learned counsel for respondent no.3 and Mr. Shailendra Singh, learned Standing Counsel for the State.

2. The present writ petition has been instituted, inter alia, seeking issuance of a writ of certiorari for quashing the impugned order dated 08.09.2025 passed by respondent no. 4, namely the Regional Approval Committee under the chairmanship of the Regional Assistant Director, (Basic), Meerut Region, Meerut. A further prayer has been made for issuance of a writ of mandamus commanding the respondents not to interfere with the peaceful functioning of the petitioners on the post of

Assistant Teacher in Ram Singh Vishwa Chaitanya Kanya Junior High School, Astauli, District Gautam Buddha Nagar. Additionally, a direction has been sought against respondent no. 2 to ensure payment of the current salary to the petitioners in accordance with law.

3. Learned counsel for the petitioners submits that the institution, namely Ram Singh Vishwa Chaitanya Kanya Junior High School, Astauli, District Gautam Buddha Nagar (hereinafter referred to as “the institution”), is a duly recognized and aided junior high school. It is governed by the provisions of the U.P. Basic Education Act, 1972, the U.P. Recognized Basic Schools (Junior High School) (Recruitment and Conditions of Service of Teachers) Rules, 1978, and the Uttar Pradesh Junior High Schools (Payment of Salaries of Teachers and Other Employees) Act, 1978. Two posts of Assistant Teachers, one post of Clerk, and one post of Class-IV employee fell vacant in the year 2006, primarily on account of resignation.

4. He further submits that the Manager of the Committee of Management of the institution sought prior permission from the District Basic Education Officer to fill up the aforesaid vacancies vide letter dated 09.06.2006, which was duly granted by order dated 20.09.2006. Pursuant thereto, the vacancies were advertised in two widely circulated newspapers on 23.09.2006 and 24.09.2006. The petitioners, being duly qualified, applied in response to the said advertisement and participated in the selection process conducted by a duly constituted Selection Committee on 05.10.2006. Thereafter, all relevant papers pertaining to the selection proceedings were forwarded by the Manager of the institution to the District Basic Education Officer vide letter dated 08.10.2006. The said appointments were accorded approval by order dated 18.11.2006, in pursuance whereof an appointment letter was issued to petitioner no. 1 on the same date appointing her as Assistant Teacher (English).

5. As Ms. Deepti Gaur, who had been selected for the post of Assistant Teacher (Science), did not join the institution on account of her appointment elsewhere, the Manager of the institution proceeded to issue

an appointment letter to petitioner no. 2 on 18.12.2006. The said appointment was duly approved by the District Basic Education Officer, Gautam Budh Nagar, vide order dated 18.12.2006. In pursuance thereof, petitioner no. 2 joined the post of Assistant Teacher (Science) on the same date.

6. It is further contended that the State Government invited applications from eligible institutions for their inclusion in the grant-in-aid list. In pursuance thereof, the State Government, vide Government Order dated 02.12.2006, brought a large number of institutions within the grant-in-aid fold. Consequently, the institution of the petitioners was also included in the said list, as communicated vide letter dated 04.01.2007 issued by the Director of Education (Basic).

7. Pursuant to the inclusion of the institution in the grant-in-aid list, the salary of only one Headmaster and two Assistant Teachers was being disbursed from the State Exchequer in terms of the order dated 21.02.2007. However, the petitioners were not extended the said benefit, as at the time of submission of the application for grant-in-aid, the selection proceedings in respect of the petitioners were still underway.

8. Being aggrieved by the non-payment of salary, the petitioners submitted a representation before the State Government seeking release of their salary from the State Exchequer. The said representation was duly considered, and consequently, a Government Order dated 19.12.2014 came to be issued, providing for payment of salary to the petitioners.

9. Pursuant to the aforesaid Government Order dated 19.12.2014, the Regional Approval Committee, under the chairmanship of the Regional Assistant Director (Basic), Meerut Region, Meerut, undertook scrutiny of the selection and appointment of the petitioners. Upon due consideration and being satisfied with the validity of the said selection proceedings, the Committee passed an order dated 14.08.2018, directing payment of salary to the petitioners with effect from 19.12.2014, i.e., the date of issuance of the aforesaid Government Order.

10. It is also submitted that although, the petitioners had been regularly discharging their duties on the post of Assistant Teachers in the institution with effect from 18.11.2006 and 18.12.2006 respectively, after obtaining prior approval from the District Basic Education Officer, Gautam Buddh Nagar, they were denied payment of salary till the issuance of the order dated 14.08.2018.

11. Aggrieved thereby, the petitioners preferred Writ-A No. 970 of 2019 (Shrimati Minakshi Sharma and another vs. State of U.P. and 4 others), which came to be dismissed vide judgment and order dated 2.04.2024. The said judgment was assailed by the petitioners by filing Special Appeal No. 488 of 2024, which was disposed of by the Hon'ble Division Bench vide judgment and order dated 16.05.2024.

12. By the said order, the Hon'ble Division Bench set aside the judgment of the learned Single Judge dated 2.04.2024 and modified the order dated 14.08.2018 to the extent that the claim of the petitioners for payment of salary and arrears shall be considered by the Secretary, Basic Education, in accordance with law.

13. Upon filing of the contempt petition, the Secretary, Basic Education, proceeded to pass an order dated 26.08.2025, whereby the appointments of the petitioners were declared void, on the ground that the same had been made in contravention of the applicable rules.

14. Pursuant thereto Respondent No. 2 proceeded to pass the order dated 30.08.2025 at the behest of Respondent No. 1, without any independent application of mind, and further compelled Respondent No. 3 to initiate action against the petitioners without affording them any opportunity of hearing.

15. Consequently, Respondent No. 3, acting under the dictates of Respondent No. 2, passed the order dated 01.09.2025 in an arbitrary and perverse manner, in gross violation of the principles of natural justice, thereby restraining the petitioners from discharging their duties in the institution.

16. He further submits that the petitioners thereafter preferred Writ-A No. 14225 of 2025, assailing the orders dated 26.08.2025, 30.08.2025

and 01.09.2025. In the said writ petition, this Hon'ble Court was pleased to pass an order dated 09.10.2025, directing the respondents to file their counter affidavit.

17. To the utter surprise of the petitioners, Respondent No. 4 passed an ex-parte order dated 08.09.2025, being adversely influenced by the findings recorded in the order dated 26.08.2025 passed by Respondent No. 1, without issuing any notice or affording any opportunity of hearing to the petitioners. By means of the said order, Respondent No. 4 proceeded to cancel its earlier order dated 14.08.2018, despite there being no provision under law conferring any power of review upon it.

18. He further submits that the petitioners had neither any knowledge of the order dated 08.09.2025 nor was the same ever served upon them. Consequently, at the time of filing the writ petition, the aforesaid order was not brought under challenge.

19. It is also contended that the respondent No. 2 proceeded to pass the impugned order dated 30.08.2025 at the dictates of Respondent No. 1, without any independent application of mind. Further, Respondent No. 3, acting under the compulsion and directions of Respondent No. 2, was constrained to initiate action against the petitioners without affording them any opportunity of hearing.

20. Likewise, Respondent No. 3, acting at the dictates of Respondent No. 2 and without any independent application of mind, proceeded to pass the impugned order dated 01.09.2025, without affording any opportunity of hearing to the petitioners, thereby restraining them from discharging their duties in the institution.

21. The order dated 26.08.2025 passed by Respondent No. 1 is founded upon certain letters and reports submitted by the Director of Education (Basic), U.P. However, at no point of time were the said reports or materials ever furnished to the petitioners, nor were they afforded any opportunity to submit their explanation in respect thereof. Consequently, the entire exercise stands vitiated, having been undertaken in flagrant violation of the principles of natural justice.

22. The impugned orders have been assailed, inter alia, on the ground that Respondent No. 1 has acted wholly without jurisdiction in travelling beyond the scope of the authority vested in him, and in venturing into the question of the validity of the petitioners' appointments, which was neither in issue nor liable to be reopened. Rather, in terms of the directions issued by this Hon'ble Court, Respondent No. 1 was required to confine the inquiry strictly to the limited question of payment of salary and arrears for the period prior to 14.08.2018.

23. He further submits that while passing the impugned order, Respondent No. 1 has ventured into examining the validity of the selection and appointments of the petitioners, an issue which had already been duly considered and conclusively determined by the Regional Approval Committee, chaired by the Regional Assistant Director (Basic), Meerut Region, Meerut. The said Committee, after thoroughly examining all relevant aspects and dealing with the objections raised, had recorded its satisfaction and accordingly approved the appointments of the petitioners.

24. Inasmuch as the order dated 14.08.2018 has neither been revoked nor recalled by any competent authority and continues to hold the field, the petitioners remain entitled to continue in service and discharge their duties, along with all consequential benefits, including payment of salary from the State Exchequer. Thus, the impugned order, having failed to take into consideration the subsistence and binding effect of the aforesaid order dated 14.08.2018, is liable to be set aside.

25. There was no occasion for Respondent No. 1 to question the factum of appointment of the petitioners or to reopen the issue, particularly after the judgment and order passed by the Hon'ble Division Bench in Special Appeal No.488 of 2024 (Smt. Meenakshi Sharma And Another vs. State of U.P. And 4 Others) dated 16.05.2024, whereby the matter stood relegated to Respondent No. 4 therein with specific observations and directions which are as follows:

“6. Having heard rival submissions and perusing the record, we find that while according financial approval in the year 2018 there is no finding by the respondents to the effect that initial appointment/engagement of the petitioners in the institution was contrary to the relevant Rules. The letters dated 16.4.2013 and 19.12.2014 also reflect that inter-departmental correspondence were on to accord financial approval to the petitioners-appellants. Therefore, it is clear that the claim was pending

consideration before the Authority for according financial approval in favour of the petitioners-appellants and moreover the Authority has also accorded salary since 2018. But once positive communication was made on 19.12.2014 to send requisite papers of the appellants for financial approval within 15 days but the same was not complied with, therefore, in such situation, we find that it was not in dispute before the Authority to verify whether the petitioners were working in the institution or not. The dispute was only to accord salary. Once this finding of fact is returned in the above letters that they were working in the institution, the rightful claim cannot be denied qua the salary.

7. Considering the facts and circumstances of the case, we set aside the impugned judgment and order passed by learned Single Judge dated 2.4.2024. We further modify the order dated 14.8.2018 to the extent that the claim of the petitioners-appellants qua salary and arrears may be considered by the Secretary (Basic Education) in accordance with law but certainly after verifying the material/ record and after giving due opportunity to all the stake holders. The said exercise is to be carried out within three months from the date of production of certified copy of this order.

8. Accordingly, the present special appeal stands disposed of. ”

26. The scope of inquiry was thus clearly circumscribed, and the same could not have been expanded beyond the mandate of the Hon’ble Court.

27. Learned counsel for the petitioners further submits that the alleged infirmities, as recorded in the order dated 26.08.2025 passed by Respondent No. 1, had already been duly examined by the competent authority at the time of granting approval to the appointments of the petitioners vide a detailed order dated 14.08.2018. In the said order, it was categorically recorded that the appointments of the petitioners were made in accordance with the procedure prescribed under law, including due publication of advertisement in newspapers, one of which was a local daily. It was further observed that there was no requirement of obtaining prior permission from the State Government at the relevant point of time, as the institution had not yet been brought under the grant-in-aid list.

28. In view of the aforesaid findings, all relevant aspects stood duly considered and concluded by the competent authority. Therefore, there was no occasion for Respondent No. 1 to reopen the matter and re-examine the very same issues, which had already been adjudicated upon by the concerned Committee vide order dated 14.08.2018, which continues to subsist and hold the field.

29. It is also submitted that the issue regarding the qualifications of the petitioners was also duly examined by the Regional Approval Committee while passing the order dated 14.08.2018. Upon such consideration, the Committee accorded approval to the appointments of the petitioners. Once such an approval had been granted after due scrutiny, no occasion arose for reopening the matter with regard to the selection and

appointment of the petitioners, particularly when the order dated 14.08.2018 continues to subsist and hold the field.

30. The order dated 26.08.2025 passed by Respondent No. 1 is patently illegal, inasmuch as it fails to consider and deal with the relevant grounds and proceeds in excess of the jurisdiction vested in it. Consequently, the order dated 08.09.2025, which is founded upon the aforesaid order dated 26.08.2025, having been passed ex parte without issuance of notice or affording any opportunity of hearing to the petitioners, is wholly arbitrary and without jurisdiction.

31. Further, Respondent No. 4 lacked any statutory power to review its earlier order, and the impugned order, having been passed without assigning any cogent reasons, is liable to be set aside on the ground of being a non-speaking and arbitrary order.

32. Learned counsel for the petitioners, in support of his submissions, has placed reliance upon the judgments rendered in **Alka Singh (Writ Petition No. 14989 of 2018, decided on 29.08.2018)** and **Yadu Nath Singh (Writ Petition No. 19524 of 2018, decided on 13.09.2018)**, wherein it has been laid down that once appointments have been made in accordance with the rules prevailing at the relevant point of time, the same cannot be unsettled on the basis of any subsequent amendment in the rules.

33. Applying the aforesaid settled proposition of law to the facts of the present case, it is submitted that the petitioners, having been appointed in accordance with law prior to the institution being brought under the grant-in-aid list, their appointments could not have been disturbed on the grounds as mentioned in the impugned orders.

34. The learned counsel for the respondent no.3 as well as learned Standing Counsel for the State-respondents submitted that the advertisement issued for the appointment of two Assistant Teachers, one Clerk, and one Class IV employee failed to specify the minimum qualifications, thereby being in clear violation of the provisions of the Uttar Pradesh Recognized Basic Shiksha (Junior High School) (Recruitment and Conditions of Service of Teachers) Rules, 1978.

35. It is further submitted that as per Rule 4(1) of the Uttar Pradesh Recognized Basic Shiksha (Junior High School) (Recruitment and Conditions of Service of Teachers) Rules, 1978, the minimum qualification prescribed for appointment as an Assistant Teacher in a recognized school was a pass in Secondary Education, i.e., Uttar Pradesh Intermediate Examination or an equivalent examination with Hindi as a subject, along with the requisite teacher training qualification such as STC, JTC, BTC, or any Training Certificate recognized by the State Government or the competent Council.

36. It is further submitted that in the year 2006, a B.Ed degree was not included as a minimum qualification for the post of Assistant Teacher. The said qualification was incorporated only in the year 2008. Therefore, it is evident that the petitioners did not possess the prescribed minimum qualification for appointment as Assistant Teacher in a recognized school in the year 2006. Consequently, their appointment is in clear violation of Rule 4 of the Uttar Pradesh Recognized Basic Shiksha (Junior High School Rules) (Recruitment and Conditions of Service of Teachers), 1978.

37. In view of the foregoing submissions, the petitioners are not entitled to the reliefs as claimed.

38. Heard counsel for the parties and perused the record.

39. From the records, it is evident that the petitioners were appointed by the Committee of Management of the institution on 18.11.2006 and 18.12.2006 respectively. The institution in question was brought under the grant-in-aid list pursuant to the Government Order dated 02.12.2006.

40. Teachers of the institution were receiving their salaries from the State exchequer pursuant to the order dated 21.02.2007. However, the petitioners were extended this benefit only after the issuance of the order dated 19.12.2014, whereby provision was made for payment of their salaries from the State exchequer.

41. Certain objections were raised by Respondent No. 4 in the letter dated 02.02.2015 with regard to the selection proceedings of the

petitioners. It was stated that the advertisement for the said selection was published only in one newspaper, Dainik Jagran on 23.09.2006. It was further alleged that no prior approval had been obtained before making the appointments, and therefore, the same were in violation of the Government Order issued under the 20.11.2003.

42. It was also pointed out that although Mr. Majuddin Ansari, ABSA, was present during the selection proceedings, he had not been duly nominated by the District Basic Education Officer for that purpose. Additionally, an objection was raised regarding the educational qualifications of the petitioners, stating that they possessed B.Ed degree, which was not the prescribed qualification for the post.

43. In response to the aforesaid query, a report dated 15.02.2017 was submitted from the office of the Director of Education (Basic), stating that the advertisement for the selection had been published in Dainik Jagran as well as Hind ki Zameen. It was further clarified that at the time when the selection process was undertaken, the institution in question was not included in the grant-in-aid list, and therefore, no prior approval was required in terms of the Government Order dated 20<sup>th</sup> November, 2003.

44. With regard to the presence of ABSA, Mr. Majuddin Ansari, it was reported that the Basic Education Officer, Gautam Buddha Nagar, had informed him telephonically to remain present at the time of the interview.

45. As regards the qualifications of the petitioners, petitioner no. 1, who possessed B.A., B.Ed., and petitioner no. 2, who possessed M.Sc., B.Ed., were duly eligible for appointment on the post of Assistant Teacher in terms of the amended Fifth Amendment to the Rules, 1978.

46. Considering all the aforesaid aspects, approval for payment of salary to the petitioners from the State exchequer was accordingly granted vide order dated 19.12.2014.

47. Accordingly, upon due consideration and after addressing all the objections, the Regional Approval Committee, under the chairmanship of the Regional Assistant Director (Basic), Meerut Region, Meerut,

passed an order dated 14.08.2018, directing that the petitioners be paid their salaries from the State exchequer with effect from 19.12.2014, i.e., the date of issuance of the aforesaid Government Order providing for such payment.

48. However, the petitioners were denied payment of salary for the period from 2014 to 2018. Aggrieved thereby, they filed a writ petition, which came to be dismissed.

49. The special appeal preferred against the said order of dismissal was, however, entertained and ultimately disposed of by order dated 16.05.2024, whereby the Secretary, Basic Education, was directed to consider and decide the claim of the petitioners/appellants regarding payment of salary and arrears, in accordance with law, after verifying the relevant records and affording due opportunity of hearing to the petitioners.

50. While disposing of the appeal, the appellate court also recorded a finding that the petitioners had been working in the institution, as was evident from the records, and the said fact was not in dispute.

51. Upon due consideration, this Court is of the considered opinion that once all objections pertaining to the selection of the petitioners had been duly examined and adjudicated, culminating in the order dated 14.08.2018 directing payment of salary, the issue that remained to be determined was confined to the entitlement of the petitioners to salary for the period from 2014 to 2018, in terms of the directions issued by the Hon'ble Court in the Special Appeal.

52. It is, therefore, manifest that the respondent authorities exceeded their jurisdiction in seeking to reopen the question relating to the validity of the petitioners' selection, which had already attained finality upon due consideration and was found to be in accordance with law. Such an exercise, being beyond the scope of the directions issued by the appellate court, is impermissible in the eyes of law.

53. The controversy in the present case stands squarely covered by the judgment of the Division Bench of this Court passed in **Special Appeal Defective No.123 of 2009 (District Basic Education Officer, District**

**Mau v. Jagdamba Singh**), decided on **27.07.2010** wherein it has been authoritatively held that where a teacher has been appointed and has continued in service for a long period, particularly with the knowledge of the competent authorities, such service ought not to be unsettled on mere technical objections.

54. The Court further emphasized that long and uninterrupted continuance in service creates a legitimate equity in favour of the employee. It was also observed that where the appointment has either been expressly approved or the incumbent has been permitted to continue for years without objection, it is not open to the authorities to subsequently turn around and invalidate such appointment on grounds which were very much available at the time of appointment but were not raised.

55. The Court while deciding the issued involved in **Writ-A No.52438 of 2010 (Kalindi Pandey vs. State of U.P. & Others as decided on 21.12.2012)**, wherein the Selection Committee had recommended the name of the petitioner therein in the year 1996 and the District Basic Education Officer has granted approval to the aforesaid recommendation for appointment of the petitioners therein as Assistant Teachers and the petitioners continued to teach for 14 years, when an objection was the District Basic Education Officer regarding the fact that the petitioners did not possess the requisite teachers training course certificate at the time of his appointment, had observed that the petitioners cannot be said to be at any fault because it is not the case that the documents on the basis of which appointment was sought were forged. Thus, at this stage i.e. after 14 years, even if it is assumed that the said certificate, possessed by the petitioners does not satisfy the requirement of the relevant rules, then too, the absence of requisite training certificate would not be that grave in the light of the other factors narrated in that case and the fact that the petitioners had gained sufficient experience, the decision for cancelling the appointment or dismissing the petitioners therein from service was arbitrary.

56. From the record, as also noticed by the Division Bench while deciding the Special Appeal, it is evident that the petitioners have continuously discharged their duties and have worked for a considerable length of time, including during the period from 2014 to 2018. Their working in the institution has, at no point, been disputed by the respondents. The petitioners are, therefore, prima facie entitled to payment of salary for the said period.

57. The appellate court, while disposing of the Special Appeal vide order dated 16.05.2024, had specifically directed the competent authority to consider the claim of the petitioners with regard to payment of salary and arrears, after due verification of the relevant records and upon affording an opportunity of hearing to the petitioners.

58. In such circumstances, once the aforesaid direction had been issued, the scope of consideration before the respondents stood confined to the determination of the petitioners' entitlement to salary for the relevant period. There was, therefore, no occasion or jurisdiction for the respondent authorities to reopen the issue relating to the validity of the petitioners' selection, particularly when all objections in that regard had already been duly examined and addressed while passing the order dated 14.08.2018.

59. The respondents have proceeded to the extent of rescinding the order dated 14.08.2018 by passing the impugned order dated 08.09.2025, that too without affording any opportunity of hearing to the petitioners and without conducting any inquiry whatsoever. Such action is patently arbitrary, violative of the principles of natural justice, and clearly unsustainable in the eyes of law.

60. Moreover, the impugned action runs directly contrary to, and in the teeth of, the directions issued by this Hon'ble Court in the Special Appeal, whereby the scope of consideration was specifically confined to the issue of payment of salary and arrears. The respondent authorities have thus acted beyond their jurisdiction in reopening and unsettling a matter which had already attained finality.

61. In Special Appeal No.1461 of 2005 (Committee of Management vs. State of U.P. and Others) and other connected special appeals, by order dated 09.01.2009, the appointment of the teachers' who had B.Ed qualification and appointment made before the amendment of 1978 Rules in the year 2008, was set-aside on the ground that B.Ed is not one of the essential qualifications prescribed under the Rules. The teachers approached the Hon'ble Apex Court by means of filing Special Leave to Appeal (C) No(s)14907/2009 along with Special Leave to Appeal (C) Nos.24549-24580 of 2011, 27396 of 2016, 26331 of 2009 and C.A. No.3904 of 2013, in which the Apex Court vide order dated 14.07.2017 has passed the following order:

*"Heard learned counsel for the parties.*

*Having regard to the fact that the petitioners have been in service for a long period, we are of the view that their appointments ought not be disturbed only on the ground of alleged lack of qualification which is contested by the petitioners.*

*Accordingly, the special leave petitions are disposed of by directing that the services of the petitioners be not disturbed on the above grounds.*

*Pending application(s), if any, shall also stand disposed of."*

62. Once a view has been taken in several judgments as passed by this Court and the Hon'ble Apex Court that the petitioners who had B.Ed degree and were appointed before 2008 i.e. before the date of amendment in the Rules, which came into existence in 1978, their appointment cannot be disturbed subsequently, especially when the appointment has been sought without playing fraud and the teachers have put in long years of service.

63. In the case of **State of Karnataka v. M.L. Kesari**, reported in (2010) 9 SCC 247, the Hon'ble Supreme Court held that where employees have worked for a long period and their appointments were not tainted by fraud or illegality, their services deserve protection. The Court emphasized that long and continuous service cannot be ignored on technical grounds.

64. The Apex Court in the case of **Rattan Lal v. State of Haryana**, reported in (1985) 4 SCC 43 has held that where teachers had worked for a considerable time, denial of salary or termination on technical grounds would be arbitrary. The Court observed that the State cannot take advantage of its own lapses after having taken work from the employees.

65. The Hon'ble Supreme Court in the case of **Narendra Kumar Tiwari v. State of Jharkhand**, reported in (2018) 8 SCC 238, has reiterated that employees who have continued for long periods should not be deprived of benefits, particularly when the employer has taken work from them and there is no fraud attributable to the employee.

66. The Apex Court in the case of **Vikas Pratap Singh vs. State of Chhattisgarh**, reported in (2013) 14 SCC 494, has held that in cases where a wrongful or irregular appointment is made without any mistake on the part of the appointee and upon discovery of such error or irregularity, the appointee is terminated, this Court has taken a sympathetic view in the light of various factors including bona fide of the candidate in such appointment and length of service of the candidate after such appointment.

67. In view of the aforesaid discussion, the orders impugned are liable to be **set-aside**. Accordingly, the impugned order dated 08.09.2025 passed by Respondent No.4, order dated 26.08.2025 passed by Respondent No.1, order dated 30.08.2025, passed by respondent No.2 and order dated 01.09.2025, passed by Respondent No.3 are quashed.

68. With the aforesaid observations, these petitions are **allowed**.

69. Accordingly, all the benefits may be provided to the petitioners, for which they is entitled for.

70. The Court records its appreciation for the meticulous efforts and valuable assistance rendered by Ms. Anushka Gupta and Ms. Vaishnavi Kesarwani, Research Associates. The precision, clarity and exactitude reflected in the legal research and analysis submitted by them, demonstrates commendable attention to detail. The Court acknowledges their contribution in aiding the adjudication of the matter.

**(Mrs. Manju Rani Chauhan,J.)**

**April 13, 2026**

K.N.