



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 10603 of 2026

Chandrashekhar Rastogi

.....Petitioner(s)

Versus

State Of U.P. Thru. Its Prin. Secy. Deptt. Of
Urban Development Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ankit Rai, Vipul Shukla
Counsel for Respondent(s)	:	C.S.C., Anindya Shastri

Court No. - 1

**HON'BLE RAJAN ROY, J.
HON'BLE MANJIVE SHUKLA, J.**

1. Heard.

2. The petitioner, who is/was the Chairman, Nagar Panchayat, Salon, District-Raebareli has filed this petition seeking the following relief(s):-

"(i) To issue a Writ, Order, or Direction in the nature of Certiorari, quashing the office memorandum dated 29.12.2025 passed by the Principal Secretary, Department of Urban Development, Respondent No. 2, whereby Petitioner is removed from the post of Chairman, Nagar Panchayat Salon, District Raebareli, as more fully annexed herewith as Annexure No. P-1.

(ii) To issue a Writ, Order, or Direction in the nature of Certiorari, quashing the election notification dated 15.09.2026 passed by the Commissioner, State Election Commission, Respondent No. 3, to the effect it relates to the Petitioner, as more fully annexed herewith as Annexure No. P-3.

(iii) To issue a Writ, Order, or Direction in the nature of Mandamus commanding the Respondents to allow the Petitioner to continue to function and discharge his duties as Chairman, Nagar Panchayat Salon, District Raebareli.

(iv) To grant such other relief / reliefs which the Hon'ble Court deems fit in the circumstances of the case and / or to award cost of the present proceedings to the Petitioner."

3. The facts of the case in brief are that by the order impugned dated 29.12.2025 the petitioner has been removed from the office of Chairman, Nagar Panchayat, Salon, District-Raebareli. Thereafter on 15.09.2026, the State Election Commission has notified the said office for election on the request of the State Government.

4. In the interregnum, by means of Writ-C No.9786 of 2026 filed by the petitioner challenging the cancellation of caste certificate, the learned Single Judge of this Court has stayed the same vide order dated 18.09.2026.

5. The contention of the petitioner's counsel is that in view of the stay order, the office of Chairman, Nagar Panchayat-Salon, district-Raebareli cannot be treated as vacant as of now, nor any elections can be held to the same but the same are going to be held in view of the notification dated 15.09.2026. Hence this petition.

6. On being confronted, counsel for the State Election Commission submitted that the elections have not been stayed by the Writ Court vide interim order dated 18.09.2026 and only the cancellation of caste certificate has been stayed.

7. Learned counsel for the petitioner has invited our attention to para 10 of the interim order dated 18.09.2026, which reads as under:

"10. As an interim measure, it is provided that the impugned order dated 10.08.2026 shall remain stayed and no coercive measure shall be taken on the basis of the impugned order."

8. The order, which is impugned in the said writ petition, and is dated 10.08.2026, is the order by which caste certificate of the petitioner has been cancelled, this is the basis for removal of the petitioner from the office of Chairman, Nagar Panchayat, Salon, District-Raebareli vide order dated 29.10.2025 and there is no other ground mentioned therein, therefore, the very basis for treating the office of Chairman, Nagar Panchayat, Salon, District-Raebareli as vacant and the proceedings to fill it up by election, is not available, rather it is non-existent at least as of now till the interim order dated 18.09.2026 is operative.

9. In view of the above, we have no other option but to stay the order

dated 29.12.2025 and all consequential actions for filling up the post/office of Chairman, Nagar Panchayat, District-Raebareli in the peculiar facts as noticed here-in-above. However, this is subject to any further orders being passed in Writ-C No.9786 of 2026, meaning thereby if the interim order passed therein is vacated or the writ petition itself is dismissed without any further protection to the petitioner, then it shall be open for the opposite parties to proceed in accordance with law.

10. List this case after six weeks.

11. Counsel for the State Election Commission, Shri Aninday Shastri and Counsel for the State, Shri Mahendra Kumar Mishra shall immediately communicate our order to the Returning/Election Officer for compliance, without waiting for its certified copy.

12. The State Election Commission shall issue necessary directions for compliance to the Returning/Election Officer concerned immediately today itself.

October 15, 2026
akhilesh/-

(Manjive Shukla,J.) (Rajan Roy,J.)