

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 262/2025

Darshan Lal Meena S/o Ram Prakash Meena, Aged About 36 Years, Resident Of Nasir Baba Ka Mandir, Asthal, District Karoli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Panchayati Raj Department, Jaipur, Rajasthan.
2. The Chief Executive Officer, Zila Parishad, District Pali.
3. The Block Development Officer, Panchayat Samiti, Marwar Junction, District Pali, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. B.S. Sandhu Mr. Lakshay Singh Udawat.
For Respondent(s)	:	

HON'BLE MR. JUSTICE ARUN MONGA

Order

10/01/2025

Learned counsel for the petitioner, *inter alia*, contends that impugned order has been passed with *mala fide* intentions in the complete violation of the applicable Service Rules to the petitioner, inasmuch as, the genesis thereof is ostensible reason of registration of an FIR. The allegation therein is that the petitioner was part of the larger conspiracy committed by the principal accused by indulging in mass cheating in the examination for selection on the post of Teacher Gr.III in District Jalore. He would further contend that petitioner is posted as Gram Sewak at Gram Panchayat, Manda and has nothing to do with the selection process in another District. In any case, being a mere Gram

Sewak, has no administrative control and/or access to any information of any kind qua the selection process being carried out for the post of Teacher Gr.III outside his jurisdiction.

Learned counsel would further submit that invocation of Rule 13 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958 is completely misplaced in view of the fact that even if the allegation against the petitioner qua the criminal culpability are to be believed, the same do not in any manner amount to any dereliction of duty as a Gram Sewak (Class III Officer) in the Gram Panchayat where he is working. Allegations levelled in the FIR are way beyond the scope of departmental proceedings.

Learned counsel would also urge that merely being an under trial cannot be construed to mean that as if the petitioner is a convict. He would point out that earlier also suspension order was passed, which is under challenge before this Court in SBCWP No.19065/2024, wherein interim protection has been granted vide order dated 18.11.2024.

Issue notice. To be heard with SBCWP No. 19065/2024.

Liberty is granted to serve through nominated counsel.

Meanwhile, effect and operation of the impugned order dated 18.12.2024 (Annex.5), shall remain stayed.

It is made clear that the department shall otherwise be at liberty to proceed against the petitioner in case any action is contemplated by way of initiating the departmental proceedings.

(ARUN MONGA),J