

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

S.B. Writ Contempt No. 332/2024

Rajendra Kumar S/o Rameshwar Lal, Aged About 45 Years, R/o
Vpo Bhinchari, Tehsil Ratangarh, District Churu (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Education, Government Of Rajasthan,
Secretariat, Jaipur.
2. Ashish Modi, IAS, Director (Secondary Education),
Government Of Rajasthan, Bikaner, Rajasthan.

-----Respondents

Connected With

S.B. Writ Contempt No. 257/2024

Smt. Shanti Choudhary W/o Late Shri Dilip Kumar Dudi D/o
Mahendra Singh Choudhary, Aged About 41 Years, Resident Of
Chokhla, Tehsil Baytu, District Barmer (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Education, Government Of Rajasthan,
Secretariat, Jaipur.
2. Ashish Modi, IAS, Director (Secondary Education),
Government Of Rajasthan, Bikaner, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Devki Nandan Vyas
For Respondent(s)	:	Ms. Mehali Mehta for Mr. Sajjan Singh Rathore, AAG

HON'BLE MS. JUSTICE REKHA BORANA

Order

12/03/2026

1. The present contempt petitions have been filed alleging
disobedience of orders dated 12.05.2023/19.05.2023. Vide orders

dated 22.01.2026/14.01.2026, the Court granted eight weeks' time to the respondents to comply with the orders failing which the Director, Secondary Education was directed to remain personally present before the Court.

2. Today an application seeking exemption from personal appearance of the Officer has been filed by the learned AAG. It has been submitted that because of the on-going administrative process and official engagements, the Director is unable to appear personally before the Court. However, no details of any such official engagements have been submitted.

3. It has further been submitted that the respondents are in process of complying with the Court's order in so far as vide communication dated 07.03.2026, approval from the Department of Personnel to convene the review Departmental Promotion Committee (DPC) has already been called for. It has further been submitted that as soon as the approval from the Department of Personnel is received, the same would be forwarded to the RPSC and thereafter a date would be fixed for convening the review DPC.

4. Admittedly the order was passed in the year 2023 and the petitioners having completed three years of experience on the post of Headmaster/Principal in the month of August 2023, filed representation before the respondents authorities in the same month. Even a reminder was served in the month of September 2023 and further a notice was also served. No action having been taken thereupon, the present contempt petitions were filed in the month of March 2024/February 2023.

5. Vide orders dated 22.01.2026/14.01.2026, eight weeks' time was granted by the Court. But, it is crystal clear that first communication, whatsoever made by respondent No.2 is of 07.03.2026 i.e. just a few days ago. The said attitude of the respondents is clearly contemptuous. It is crystal clear that the State authorities are bent upon not to comply with the orders of the Court. Despite the order been passed way back in the year 2023, till date, the review DPC has not been convened and today too, it has been stated that after the approval from the DOP, the matter would be referred to RPSC and then a DPC would be convened. Meaning thereby, the respondents are acting casual to the extreme and are not at all serious in complying with the orders of the Court within the time frame, as directed.
6. In view of the above, let the matter be listed on 25.03.2026. If by that date, a compliance report, in true letter and spirit is not filed, the Principal Secretary, Department of Education shall remain present before the Court to explain as to why orders of punishment be not passed against him. If the compliance report is not filed by the next date, the Director, Department of Education shall also remain present before the Court and appropriate orders of punishment would be passed against him on the said date.
7. Application seeking exemption from personal appearance stands disposed of.

(REKHA BORANA),J