

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

S.B. Civil Writ Petition No. 22893/2025

Mahipal S/o Sh. Sonaram, Aged About 37 Years, Resident Of At
Present Directorate, Office Of The Secondary Education, Bikaner.

-----Petitioner

Versus

1. State Of Rajasthan, To The Principle Secretary, Secondary Education, Government Of Rajasthan, Jaipur.
2. Director, Secondary Education, Bikaner.

-----Respondents

Connected With

S.B. Civil Writ Petition No. 1986/2026

Vaidehi Meena D/o Shri Hari Singh Meena, Aged About 35 Years,
W/o Shri Vishambhar R/o Brahmbad Tehsil Sikrai District Dausa
Raj.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Principal Secretary Department Of School Education Govt. Of Raj. Secretariat Jaipur
2. The Director, Secondary Education Raj. Bikaner -334001
3. The Rajasthan Public Service Commission (Rpsc), Through Its Secretary Ghooghara Ghati Jaipur Road Ajmer Raj.

-----Respondents

For Petitioner(s)	:	Mr. Deepak Nehra Mr. Sachin Saraswat
For Respondent(s)	:	Mr. N.K. Mehta, AGC

HON'BLE MR. JUSTICE KULDEEP MATHUR
Order

16/03/2026

S.B. Civil Writ Petition No. 22893/2025:-

1. Heard on stay application.

2. Having heard learned counsel for the parties and having perused the material available on record, this Court finds that the case of the present petitioner is that he was appointed as Teacher Grade-III in a primary school in the year 2013. While serving as Teacher Grade-III, the petitioner appeared in the competitive examination conducted by the RPSC in the year 2022 for the post of Lecturer (History). On the basis of the merit obtained by him in the said competitive examination, the petitioner came to be appointed as Lecturer (History) at Government Senior Secondary School, Samrau vide order dated 16.12.2023. While the petitioner was working on the said post, an FIR came to be lodged at Police Station Osian, District Jodhpur Rural alleging that he had cleared the RPSC examination through a dummy candidate.

3. After the registration of the FIR, the Director, Secondary Education, Bikaner, vide order dated 07.05.2024, placed the petitioner under suspension. A charge-sheet under Rule 16 of the Rajasthan Civil Services (CCA) Rules, 1958 also came to be served upon the petitioner. According to the petitioner, during the pendency of the proceedings under Rule 16 of the CCA Rules, 1958, a notice dated 18.08.2025 was served upon him by the Director, Secondary Education, Bikaner stating, inter alia, that his services during the probation period had not been found satisfactory and calling upon him to explain as to why his services should not be terminated.

4. The case of the petitioner is that he submitted a detailed reply to the notice dated 18.08.2025; however, the Director,

Secondary Education, Bikaner, vide order dated 16.10.2025, terminated his services by observing that the petitioner is facing a criminal trial for allegedly appearing in the competitive examination conducted by the RPSC through a dummy candidate and that his services during the probation period were not found satisfactory.

5. This Court is of the opinion that the termination order has been issued against the petitioner on account of the pendency of the criminal case against him and on the ground of unsatisfactory performance during the probation period. It is well settled that no formal disciplinary enquiry is required to be conducted if the services of an employee are terminated during probation on the ground of unsuitability for the post rather than on account of any specific misconduct while in service.

6. In view of the aforesaid discussion, no case for grant of interim relief is made out in favour of the petitioner.

7. Accordingly, Stay Application No.23748/2025 stands rejected.

8. Issue notice to the respondents.

9. Mr. N.K. Mehta, AGC accepts notice on behalf of respondents. Service of notice upon respondents is, therefore, complete.

10. List the matter for final hearing in due course.

S.B. Civil Writ Petition No. 1986/2026:-

1. Issue notice to the respondents.

2. Mr. N.K. Mehta, AGC accepts notice on behalf of respondents No.1 and 2. Service of notice is, therefore, complete.
3. Issue notice to respondent No.3 only, returnable within a period of four weeks.

(KULDEEP MATHUR),J

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