

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

D.B. Spl. Appl. Writ No. 230/2026

Manjula W/o Sh. Chetan Ram, Aged About 45 Years, Resident Of
Jatiyo Ka Bass, Nanani Road, Pipar City, Jodhpur, District Jodhpur,
Rajasthan.

-----Appellant

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Revenue, Government Of Rajasthan,
Secretariat, Jaipur, Rajasthan.
2. The Secretary (Land Record), Board Of Revenue, Ajmer,
Rajasthan.
3. The District Collector, Jodhpur, District Jodhpur,
Rajasthan.
4. The Sub-Divisional Officer, Pipar City, District Jodhpur,
Rajasthan.
5. The Tehsildar, Tehsil Pipar City, District Jodhpur,
Rajasthan.

-----Respondents

For Appellant(s)	:	Mr. Sushil Solanki
For Respondent(s)	:	Mr. NS Rajpurohit, AAG

**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

Order

26/02/2026

1. Heard.
2. This is an appeal challenging the order passed by the learned
Single Judge, whereby the learned Single Judge vide order dated
16.01.2026 has rejected the writ petition and held that the orders
impugned of reversion passed by way of punishment dated
06.11.2025 and 17.12.2025 are in accordance with law.

3. Learned counsel for the appellant submits that appellant has been punished without following due procedure as laid down under Rule 16 of the CCA Rules 1958, in as much as the enquiry officer did not conduct the enquiry in accordance with law and did not record any evidence. A joint enquiry was conducted and the appellant was held guilty based on the documents produced, which have also been not confronted to the appellant, nor the appellant was given any opportunity to cross-examine any of the witnesses.

4. We find that the order passed by the District Collector is appealable before the State Government. However, without availing the remedy of appeal as provided under Rule 23 of the CCA Rules 1958, directly writ petition has been filed before this Court.

5. We are of the firm view that this Court cannot act as an Appellate Authority while exercising writ jurisdiction. While in appeal, the Appellate Authority can not only examine the decision making process but also the decision to writ jurisdiction only allows the Court to examine the decision making process. Thus, the remedy available under the CCA Rules of 1958 is much efficacious remedy and all the record can be examined at the appellate stage. While the said aspect has not been considered by the learned Single Judge, we set aside the order passed by the learned Single Judge and allow the writ petitioner to file an appeal before the Appellate Authority, who would examine the appeal purely on merits without being influenced by the order passed by learned Single Judge.

6. It is expected that if an appeal is filed within a period of three weeks from today, the same shall be considered and a speaking order shall be passed by the Appellate Authority within a period of three months. Thereafter, if required, opportunity of personal hearing can also be provided to the appellant.

7. With the aforesaid observations, the instant appeal is partly allowed.

(BALJINDER SINGH SANDHU),J

(SANJEEV PRAKASH SHARMA),ACJ