

HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JODHPUR

S.B. Civil Writ Petition No. 4165/2022

Pema Ram S/o Shri Chima Ram, aged about 49 Years, Resident of Azaad Nagar, Chouhtan, District Barmer, Rajasthan.

-----Petitioner

Versus

1. State of Rajasthan through the Commissioner (Egs) Nrega, Jaipur, Rajasthan.
2. The District Programme Coordinator Cum District Collector, Barmer, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Manish Patel.

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

21/03/2022

Heard.

It is submitted by the counsel for the petitioner that for petitioner, a Gram Vikas Adhikari, the appointing authority is the District Establish Committee and that the District Collector or the District Programme Coordinator has no jurisdiction to place the petitioner under suspension.

Submissions have been made that besides the fact that the order is without jurisdiction, the same lacks application of mind on the part of the District Collector as well; the order of suspension has simply been passed at the directions of the Commissioner.

In view of submissions made, issue notice. Issue notice of stay petition as well.

In the meanwhile and till further orders, effect and operation of the order dated 12.03.2022 (Annex.3) shall remain stayed. However, the respondents will be free to continue with disciplinary proceedings, if initiated against the petitioner.

(ARUN BHANSALI),J

178-DJ/-



सत्यमेव जयते