

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

S.B. Civil Writ Petition No. 4037/2026

Sharad Sharma S/o Shri Suresh Chand Sharma, Aged About 39 Years, Resident Of Government Quarter No.iii/24, Polo Ground, Udaipur (The Then Chemist, Directorate Of Mines And Geology Department, Udaipur.

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary To Government, Department Of Mines And Geology, Government Of Rajasthan, Secretariat, Jaipur.
2. Joint Secretary To The Government, Department Of Mines And Petroleum, Government Of Rajasthan, Jaipur.
3. Director, Directorate Of Mines And Geology Department, Rajasthan, Udaipur.
4. Senior Chemist-I, Department Of Mines And Geology, Udaipur.

----Respondents

For Petitioner(s)	:	Mr. Rishabh Tayal. Mr. Jitendra Choudhary.
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HON'BLE DR. JUSTICE NUPUR BHATI

Order

23/02/2026

1. Learned counsel for the petitioner submits that the petitioner has been placed under suspension vide order dated 06.02.2026 indicating in it that the disciplinary action is under consideration against the petitioner.
2. Learned counsel for the petitioner submits that the respondents in the said order has not indicated anywhere that any disciplinary proceedings against the petitioner are either contemplated or pending. He further submits that while invoking

the Rule 13 (1) (a) of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, a government servant can be placed under suspension only where disciplinary proceedings against him are contemplated or are pending, however, in the present case, the word used in the suspension order is विचाराधीन i.e. under consideration. He, thus, submits that the suspension order itself is bad in the eyes of law, and, therefore, the petitioner has invoked the writ jurisdiction.

2. In view of the submissions made, issue notice to the respondents. Issue notice of the stay application as well.

3. In the meanwhile and till the next date, the effect and operation of the order dated 06.02.2026 (Annex.8) shall remain stayed.

(DR.NUPUR BHATI),J