

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

S.B. Civil Writ Petition No. 4244/2026

Mukesh Kumar Vaishnav S/o Late Chunni Lal Ji, Aged About 62
Years, Residing At 123, Behind Lic Office, Parlawa-Jav, Tehsil
Bali, District Pali

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Law
And Legal Affairs, Jaipur.
2. District And Sessions Judge (Disciplinary Authority), Pali

-----Respondents

For Petitioner(s) : Mr. Pushkar Taimini.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

24/02/2026

1. Learned counsel for the petitioner while referring to Rule 7 of the Rajasthan Civil Service (Pension) Rules, 1996 ('Rules of 1996') submits that before serving the charge-sheet upon a retired employee, the respondents are under an obligation to send the sanction to the Governor. He submits that in the instant case the respondents while issuing charge-sheet to the petitioner by way of memorandum of charges dated 04.12.2025 (Annex.4) under Rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules 1958 have not taken such sanction from the Governor. He submits that thus the said action of the respondents is in contradiction to the Rule 7 (2) (b) of the Rules of 1996.
2. The matter requires consideration.
3. Issue notice to the respondents. Issue notice of the stay application also.

4. In the meanwhile and till the next date, the memorandum of charges dated 04.12.2025 (Annex.4) and the consequential proceedings are stayed.

(DR.NUPUR BHATI),J

72-pradeep/-