

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

S.B. Civil Writ Petition No. 4932/2026

Dharampal S/o Shri Sankar Ram, Aged About 46 Years, R/o Vpo
Riya Seth Ri, Tehsil Pipar City District Jodhpur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Education
Department, Government Of Rajasthan, Secretariat,
Jaipur (Raj.).
2. Director, Department Of Elementary Education, Bikaner
(Raj.).
3. District Education Officer (Headquarter), Elementary
Education, Jodhpur, Rajasthan.
4. Chief Block Education Officer, Panchayat Samiti Pipar City
District Jodhpur, Rajasthan.
5. Peeo And Principal, Government Senior Secondary School
Riya Setha Ki, Pipar City, District Jodhpur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Vikram Singh Bhati
For Respondent(s)	:	

HON'BLE MR. JUSTICE SAMEER JAIN

Order

09/03/2026

Learned counsel for the petitioner has submitted that vide order dated 15.12.2023, the petitioner was appointed on the post of Vidyalay Sahayak under contract governed by the Civil Post Rules 2022. It is submitted that while carrying out the duties, he was served a notice referred to as impugned order (Annex.10) dated 28.01.2026, whereby he was terminated from the service for following grounds that he was absent without information; that he was in custody (jail) under the NDPS Act case from the period

January 2024 till 20.05.2025, wherein he was granted bail. It is submitted that the petitioner was also issued a show cause notice prior to the same on 18.12.2023 for being willfully absent and no answer to the show cause notice was ever given. Learned counsel has submitted that as per mandate of Rule 18 of the Rajasthan Contractual Hiring to Civil Posts Rules, 2022 whereby his appointment order is revoked, it is a *sine qua non* to afford opportunity of personal hearing and to abide by the principle of *audi alteram partem*.

Heard. considered.

Present is a case where petitioner was appointed on the post of Vidyalay Sahayak under the Rules of 2022. It is an admitted case that a show cause notice for willful absenteeism was initially issued on 18.12.2023, but no response to the same was given. It is also a case that petitioner was in custody (jail) from January 2024 to 20.05.2025 and the said fact was only informed to the respondents on 03.06.2025. As per Rule 18, revocation of appointment order can be carried out if petitioner or the contractual employee is involved in immoral life or in any criminal case, or his services are not satisfactory. This Court has also analyzed that due opportunities were given by issuance of show cause notice and also, petitioner has himself informed the fact of his willful absenteeism, on 03.06.2025 and for the said period, he himself was in jail.

Considering the facts and the circumstances of the case, no interference is called for.



Civil Writ petition is accordingly, dismissed. Pending applications, if any, stand disposed.

(SAMEER JAIN),J

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