

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

S.B. Civil Writ Petition No. 5109/2025

Pikesh Khadiya S/o Shri Sakan Singh Khadiya, Aged About 24 Years, Resident Of Bagaycha P.o. Sajjangarh, District Banswara, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Education, Government Of Rajasthan, Secretariat, Jaipur (Raj.).
2. The Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
3. The Chief Executive Officer, Zila Parishad, Banswara.
4. The Block Development Officer, Panchayat Samiti Sajjangarh, District Banswara.
5. The District Education Officer (Headquarters), Elementary Education, Banswara.

-----Respondents

For Petitioner(s)	:	Mr. Lokesh Mathur
For Respondent(s)	:	

JUSTICE DINESH MEHTA

Order

03/03/2025

1. By way of present writ petition, petitioner has challenged the order dated 13.01.2025, whereby the petitioner's services has been brought to an end by observing that his continuation in services is neither in the public interest nor is in the interest of the department.
2. Mr. Mathur, learned counsel for the petitioner, argued that the order impugned passed by the District Education Officer is

void and without jurisdiction inasmuch as petitioner's appointing authority is panchayat samiti, Sajjangarh as is evident from the order dated 30th May, 2022 (Annexure-2).

3. While submitting that the order is stigmatic, Mr. Mathur contend that petitioner's service has been dispensed with simply because an FIR has been registered against him.

4. This Court finds substance in Mr. Mathur's argument that the order impugned is without jurisdiction; other contentions also require consideration.

5. Issue notice. Issue notice of stay application also, returnable within a period of six weeks.

6. Meanwhile effect and operation of the order dated 13.01.2025 (Annexure-6) shall remain stayed.

(DINESH MEHTA),J