

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

S.B. Civil Writ Petition No. 6748/2026

Surendra Singh Guliya S/o Shri Harpal Singh, Aged About 52
Years, R/o Salumbar, Rajasthan At Present Rto, Bikaner.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary, To The
Government Department Of Transport And Road Safety,
Jaipur.
2. Commissioner, Department Of Transport And Road Safety,
Jaipur (Raj.)
3. Regional Transport Officer, Rto, Jaipur.
4. Joint Transport Commissioner, (Administration)
Department Of Transport And Road Safety, Jaipur
5. District Transport Officer, Salumber, District Udaipur (Raj.)

-----Respondents

For Petitioner(s)	:	Mr. Mayank Rajpurohit
For Respondent(s)	:	Mr. Sandeep Soni for Mr. B.L. Bhati, AAG

HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/04/2026

1. This writ petition has been filed by the petitioner with the
following prayer:-

It is therefore, most humbly and
respectfully prayed that this petition for writ may
kindly be allowed and:

(i) By an appropriate writ order or direction,
the order impugned dated 04.06.2025
(Annexuer-7) passed by the respondent No.2
may kindly be declared illegal and be quashed
and set aside, and the petitioner may kindly be
reinstated in service forthwith; and

- (ii) By an appropriate writ order or direction the chargesheet dated 16.05.2025 (Annex-5) may kindly be quashed and set aside
- (iii) By an appropriate writ order or direction the petitioner's case may kindly be reviewed by the resp authorities.
- (iv) By an appropriate writ order or direction the disciplinary proceedings against the petitioner may kindly be quashed and set aside.
- (v) Any other appropriate order or relief which this Hon'ble Court may deems just and proper in the facts and circumstances of this case may kindly also be passed in favour of the humble petitioner."

2. At the outset, learned counsel for the petitioner, on instructions, seeks permission to withdraw the writ petition qua prayer No. 2, i.e., the challenge to the charge-sheet at this stage.

The petitioner is aggrieved by the order dated 04.06.2025 issued by the Secretary-cum-Commissioner, Transport and Road Safety Department, whereby, in exercise of powers under Rule 13(1) of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, the petitioner has been placed under suspension.

3. Learned counsel for the petitioner has submitted that the root cause of suspending the petitioner is FIR No. 0096/2025 registered at Police Station Gandhi Nagar, Jaipur. Despite the fact that the petitioner has not been named, the impugned suspension order dated 04.06.2025 has been issued on the basis of vague and unsubstantiated allegations in the FIR. It is further submitted that the proceedings pursuant to the aforesaid FIR have been stayed vide order dated 30.01.2026 in S.B. Criminal Writ Petition No. 425/2026, qua the petitioner in that case. It is also submitted that although a disciplinary enquiry has been initiated against the petitioner by serving a memorandum of charge-sheet along with

statements of allegations, no substantial proceedings have taken place pursuant thereto to date. It is contended that the petitioner has been under suspension since 04.06.2025 and, under the circumstances mentioned hereinabove, cannot be compelled to remain under suspension for an indefinite period. It is further submitted that the respondents have not reviewed the suspension order till date, nor has any decision been communicated to the petitioner either to revoke the suspension or to extend the same for any cogent reason.

4. Learned counsel for the respondents has opposed the writ petition and submitted that the petitioner has indulged in serious misconduct, as reflected from the statements of allegations appended to the memorandum of charge-sheet dated 16.05.2025, and therefore it was necessary to place the petitioner under suspension. It is further submitted that the purpose of placing the petitioner under suspension is to keep him away from his place of posting so as to rule out any possibility of tampering with evidence or influencing witnesses.

5. Heard learned counsel for the parties and perused the record.

6. In the aforesaid circumstances, the petitioner was placed under suspension on 04.06.2025, i.e., almost ten months ago. During this period, the respondents/disciplinary authority must have collected the entire evidence against the petitioner, which is also reflected from the memorandum of charge-sheet served upon him. Therefore, the likelihood of tampering with evidence now

appears to be minimal. However, if the respondents still have any apprehension regarding the petitioner influencing witnesses, the competent authority, while reviewing the suspension order, may consider posting the petitioner at a place far away from the place of occurrence.

7. In view of the above, this Court deems it just and proper to dispose of the writ petition by granting liberty to the petitioner to submit a representation before the competent authority seeking revocation of the suspension order. The said representation shall be considered by the competent authority strictly in accordance with law, and a decision, either to revoke the suspension or to extend the same, shall be communicated to the petitioner along with cogent reasons.

8. The necessary orders shall be passed within a period of sixty days from the date of receipt of certified copy of the order.

9. Pending application(s), if any, shall stand disposed of.

(ANAND SHARMA),J