

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

S.B. Civil Writ Petition No. 6794/2026

Smt. Pramila W/o Shri Rakeshkumar Lamba, Aged About 45
Years, Resident Of Kunj Vihar Colony, Purani Abadi, Sri
Ganganagar (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary.
Department Of Medical And Health Services, Jaipur.
2. The Director (Non Gazetted), Medical And Health
Services, Rajasthan, Jaipur
3. Additional Director (Adminisration), Medical And Health
Services, Jaipur
4. Joint Director, Medical And Health Services, Zone Bikaner.
5. Principal Medical Officer, Sri Ganganagar

-----Respondents

For Petitioner(s)	:	Ms. Sampati Godara
For Respondent(s)	:	Mr. Tanuj Jain

HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/04/2026

1. The petitioner has filed this writ petition challenging the suspension order dated 21.11.2019, as well as the order dated 13.09.2023, whereby the request to revoke the suspension was rejected by the Director (Non Gazetted), Medical and Health Services, Rajasthan, Jaipur. The suspension order dated 21.11.2019 reveals that the petitioner was placed under suspension on account of being arrested pursuant to an FIR lodged against her under the provisions of the PCPNDT Act, 1994, as well as various provisions of the IPC. It is contended in the writ

petition that, till date, no disciplinary enquiry has been initiated against the petitioner. As far as the criminal case is concerned, after conclusion of the investigation, a charge sheet has already been filed and the trial is pending before the competent criminal court. It is further submitted that the petitioner had earlier also requested revocation of the suspension order; however, the same was rejected by the respondents vide order dated 13.09.2023 solely on the ground that the allegations levelled against the petitioner are serious in nature.

2. Learned counsel for the respondents has opposed the writ petition and submitted that, as the petitioner was involved in serious misconduct which led to the registration of the FIR and her subsequent arrest by the police authorities, the competent authority committed no error in placing her under suspension in exercise of powers under Rule 13(1) of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958. It is further submitted that the request for review of the suspension order was placed before the duly constituted Committee for reconsideration of suspension cases, and the Committee decided that, in view of the seriousness of the allegations levelled against the petitioner, it was not a fit case for review. Accordingly, the representation submitted by the petitioner for revocation of suspension was rejected by the competent authority.

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

4. It is not in dispute that the object of placing an employee under suspension is to rule out the possibility of tampering with evidence relating to the alleged misconduct, as well as to obviate the possibility of the delinquent influencing witnesses.

5. In the present case, despite the fact that the suspension order was issued on 21.11.2019, no charge sheet under the disciplinary rules has been served upon the petitioner till date. The sole reason for placing the petitioner under suspension was the registration of the FIR. It is also not in dispute that, in the criminal case, a charge sheet has already been filed and the trial is still pending.

6. Thus, under the circumstances, after more than six and a half years, there is no likelihood of the petitioner tampering with evidence or influencing the trial proceedings, particularly when the investigation has already been concluded and the charge sheet has been filed.

7. It is also surprising that, even after the lapse of more than six and a half years, without serving a charge sheet under the disciplinary rules, the petitioner has been kept under suspension and is being paid 75% of her salary without being assigned any work.

8. Under these circumstances, this Court directs the respondents to place the petitioner's case again before the reviewing authority, which shall consider the matter in light of the above observations and pass a speaking order either revoking the suspension or continuing the same with cogent reasons.

9. Necessary orders in this regard shall be passed within a period of thirty days from the date of receipt of a certified copy of this order.

10. Hence, this writ petition is disposed of.

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

(ANAND SHARMA),J

68-Taruna/-