

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 8534/2026

Rajendra Roop Ray

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Rameshwar Lal Dave

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

22/04/2026

1. Petitioner has challenged the order dated 12.11.2025 passed by Joint Secretary, DOP whereby, pursuant to a joint disciplinary enquiry conducted against as many as four engineers, petitioner has been saddled with penalty of withholding 15% of pension for a period of 10 years.

2. Learned counsel submits that with the similar allegations, criminal case was also lodged against the petitioner and the criminal proceedings have been set at rest vide judgment dated 18.01.2023 passed by the Competent Criminal Court whereby, petitioner has been acquitted of the charges leveled against him.

3. Learned counsel submits that the enquiry officer has conducted enquiry in quite detective manner and in utter violation of provisions of Rajasthan Civil Services (CCA) Rule, 1958. Copy of enquiry report was served upon the petitioner along with a notice to submit representation against the finding of the Enquiry Officer.

4. Learned counsel submits that on receipt of such notice, the petitioner submitted representation (Annexure-4) against the enquiry report submitted by the Enquiry Officer, yet such representation submitted by the petitioner has not at all been considered by the disciplinary authority and without considering the representation of the petitioner, penalty order has been passed by the disciplinary authority by blindly relying upon finding given by the Enquiry Officer.

5. Learned counsel further submits that the petitioner is retired employee and even maintaining his family through pension which is being received by him and the impugned penalty is causing serious prejudice and miscarriage of justice for the petitioner.

6. Matter requires consideration.

7. Issue notice to the respondents.

8. In the meanwhile and till further orders, operation of order dated 12.11.2025 shall remain stayed.

9. Respondents shall be at liberty to move application for stay vacation in case, facts stated in the writ petition filed by the petitioner are incorrect.

(ANAND SHARMA),J