

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

S.B. Civil Writ Petition No. 8934/2026

Ashok Kumar S/o Babu Lal, Aged About 31 Years, Resident Of
Rohida, Nada, Sihago Ki Dhani, Gram Post Chawandiya, Tehsil-
Khinwsar, District- Nagour

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Principal Secretary,
Department Of Home, Government Of Rajasthan, Jaipur.
2. The Director General Of Police, Rajasthan, Jaipur.
3. The Inspector General Of Police, Kota.
4. The Superintendent Of Police, District- Jhalawad

-----Respondents

For Petitioner(s) : Mr. Sahee Ram
Mr. Kunal Upadhyay

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/04/2026

Learned counsel for the petitioner submits that, without holding a regular disciplinary enquiry under Rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, and without affording a proper opportunity of hearing, the order dated 14.02.2026 has been passed by the Superintendent of Police, District Jhalawad whereby the harsh penalty of dismissal from service has been inflicted upon the petitioner.

Learned counsel for the petitioner further submits that Rule 19(ii) of the CCA Rules is an exceptional provision and can be invoked only in cases where it is not practicable to conduct an

enquiry. However, in the present case, vide order dated 14.02.2026, even the minimum right of opportunity of hearing and participation in the enquiry has been dispensed with by the respondents without recording any justified reasons for waiving the regular procedure of enquiry. It is also submitted that the order dated 14.02.2026 is a clear misuse of power and has been passed in violation of the principles of natural justice.

The matter requires consideration.

Issue notice to the respondents, returnable within two weeks. 'Dasti' notice be also given to learned counsel for the petitioner.

In the meanwhile, and until further orders, the effect and operation of the order dated 14.02.2026 shall remain stayed.

The respondents shall be at liberty to file an application for vacating the stay, in case the facts stated in the stay petition are found to be incorrect.

List the matter on 18.05.2026.

(ANAND SHARMA),J