

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

S.B. Civil Writ Petition No. 9780/2026

Jitendra Singh Rathore S/o Shri Ummed Singh, Aged About 43 Years, Resident Of Gali No. 08, Plot No. 627, Hanuwant A Bjs Colony, Jodhpur. At Present Working As Commercial Assistant-Ii (Under Suspension) Headquarter At The Office Of Personnel Officer (City Circle), Jodhpur Discom, Jodhpur.

-----Petitioner

Versus

1. Jodhpur Vidyut Vitran Nigam Ltd., Jodhpur Through Its Chairman And Managing Director.
2. The Secretary, Jodhpur Vidyut Vitran Nigam Ltd. New Power House, Jodhpur.
3. Superintending Engineer (City Circle), Jodhpur Discom, Jodhpur.
4. Asstt. Engineer, (City Sub Division A-Vii), Jodhpur Discom, Jodhpur.

-----Respondents

For Petitioner(s) : Mr. Ramesh Kumar Panwar

HON'BLE DR. JUSTICE NUPUR BHATI

Order

07/05/2026

1. Learned counsel for the while placing reliance upon the judgment passed by the Hon'ble Apex Court in the case of ***Ajay Kumar Choudhary Vs. Union of India & Ors. reported in 2015 AIR SC 2389*** submits that the Hon'ble Apex Court has held that the currency of the suspension order should not be extended beyond three months, if within this period the memorandum of charges/charge-sheet is not served on the delinquent officer/employee and if the memorandum of charges/chargesheet is served, a reasoned order must be passed for the extension of

the suspension, however, in the present case, the petitioner has been placed under suspension vide order dated 16.10.2025 (Annex.2) and till date, the respondents have not served upon the petitioner any charge-sheet and neither any reasoned order has been passed by the respondents despite the fact that the period of three months has already been passed.

2. In view of the submissions made, issue notice to the respondents. Issue notice of the stay application also.

3. In the meanwhile and till the next date, the effect and operation of the order dated 16.10.2025 (Annex.2) shall remain stayed.

4. Connect with SBCWP No.12692/2025, as prayed.

(DR. NUPUR BHATI),J

6-/Devesh/-