

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 14286/2021

Sanjay Kumar Dangi S/o Mool Chand Dangi, Aged About 48 Years, Old Resident Of Ward No.7, Mandalgarh, Dist. Bhilwara (Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Ministry Of Local Self Government, G-3, Rajmahal Residency Area, Civil Lines Phatak, C-Scheme, Jaipur (Raj.).
2. The Director And Special Secretary, Local Bodies, G-3, Rajmahal Residency Area, Civil Lines Phatak, C-Scheme, Jaipur (Raj.).
3. The Municipal Board, Through The Executive Officer Tehsil Mandalgarh, Dist. Bhilwara (Raj.).

-----Respondents

For Petitioner(s)	:	Mr. Sanjeev Johari with Mr. Lalit Parihar with Ms. Tamana Trivedi
For Respondent(s)	:	Mr. Sunil Beniwal, AAG assisted by Mr. Utkarsh Singh Mr. Rajesh Panwar

JUSTICE DINESH MEHTA

Order

17/12/2021

1. Challenging the order dated 01.07.2021, Mr. Johari, learned counsel for the petitioner submits that the petitioner has been placed under suspension in exercise of powers under Section 39(2) of Rajasthan Municipalities Act, 2009 (hereinafter referred to as the 'Act of 2009') without initiation of any enquiry contemplated under Section 39(1) of the Act of 2009.
2. Learned counsel has placed for perusal of the Court a notice dated 15.12.2021.

3. Upon the perusal of the above notice, this Court finds that even this notice does not amount to initiation of enquiry under Section 39(1) of the Act of 2009.

4. Mr. Johari, learned counsel for the petitioner shows concern about the fact that inspite of the matter being under consideration of the Court since 18.10.2021 and various opportunities having been granted, the State has not filed any reply.

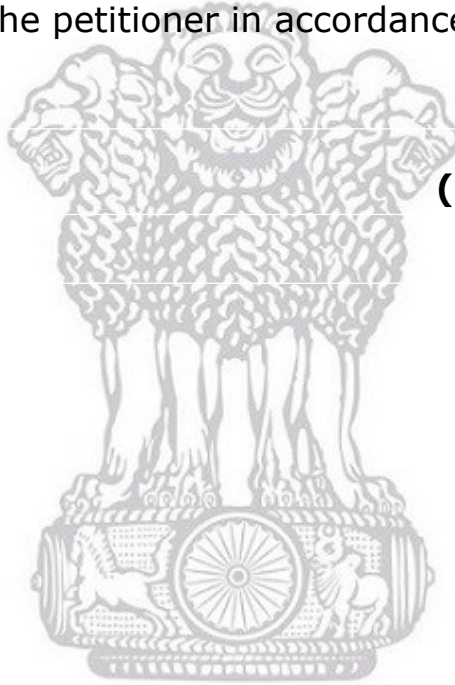
5. List the matter after four weeks.

6. Till then, effect and operation of the order dated 01.07.2021 passed by respondent No.2 shall remain stayed.

7. Needless to observe that the respondent – State shall be free to proceed against the petitioner in accordance with law.

130-A.Arora/-

(DINESH MEHTA),J



सत्यमेव जयते