

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

S.B. Civil Writ Petition No. 14167/2026
CNR: RJHC010650062026
URN: CW / 25862U / 2026

Tagat Singh S/o Shri Roop Singh, Aged About 56 Years, R/o Sabal Garh Ketoo Kalan Dist. Jodhpur Raj.

----Petitioner

Versus

1. The Rajasthan State Road Transport Corporation, Chomu House Parivahan Marg Jaipur Through Its Managing Director
2. The Executive Director (Administration), Rajasthan State Road Transport Corporation Parivahan Marg Jaipur
3. The Chief Depot Manager, Rajasthan State Road Transport Corporation Jodhpur Depot Dist. Jodhpur Raj.

----Respondents

For Petitioner(s)	: Mr. Indrajeet Yadav
For Respondent(s)	: Mr. Iqbal Khan for Mr. Harish Kumar Purohit

HON'BLE DR. JUSTICE NUPUR BHATI

Order

13/07/2026

1. The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India with the following prayers:

“xxxxxx

- (i) By an appropriate writ, order or direction, may kindly be please to declare the impugned act and action of withholding salary of the petitioner by respondent no. 3 Chief Depot Manager, Rajasthan State Road Transport Corporation, Jodhpur Depot, District Jodhpur, illegal, arbitrary and unjust and same may kindly be quashed and set aside.
- (ii) By an appropriate writ, order or direction to the respondent RSRTC department to reinstate to full salary of the petitioner and respondent department also directed to prevent of any unfair action of . salary withholding.

- (iii) By an appropriate writ, order or direction, in case salary has been withheld during the pendency of this writ petition, the same is ordered to be refunded to the petitioner with interest @ 18% per annum, from the date of withholding salary till the date of payment.
- (iv) any other appropriate order or direction which this Hon'ble Court considers just and proper and fact and circumstance of the case may kindly be passed in favour of the petitioner.
- (v) cost of writ petition may kindly be awarded to the petitioner.”

2. Counsel for the petitioner submits that the similar controversy (SBCWP No.12208/2026 : “*Gopa Ram & Anr. v. RSRTC & Ors.*”) has already been disposed of by the Coordinate Bench of this Court vide order dated 29.06.2026, wherein the petitioner was granted liberty to file representation before the respondents which was directed to be decided within 45 days from the date of receipt of certified copy of the order strictly in accordance with law.

3. In addition of the above, counsel also places reliance upon the decision given by the Coordinate Bench of this Court in the case of ***Azaz Ahmad v. RSRTC & Ors. : SBCWP No.24014/2025***. For ready reference, relevant paragraphs of the same are reproduced hereunder:

“8. This Court also found that there is no justification for the respondents to withhold the salary of the petitioner when there is no specific order in this regard. As long as the petitioner is discharging his duties in the civil post as per the orders passed by the respondents, they are duty bound to extend the salary unless any other specific order is in force withholding the salary which has been communicated to the petitioner.

9. Considering the above facts and circumstances, the present writ petition is disposed of with the following directions:

- i. The respondent No. 3 - Chief Manager, Rajasthan State Road Transport Corporation, Abu Road Depot is directed to forward the representation of the petitioner, if any filed, to the headquarters. If no representation is filed, liberty is given to the petitioner to file fresh representation within a period of one week from today.
- ii. The headquarters shall fix the date and time for appearance of the petitioner before the fresh medical

board and such date and time shall be intimated to the petitioner.

iii. On such intimation, the petitioner shall positively appear before the medical board on the fixed date and time.

iv. If the petitioner fails to appear before the medical board on the fixed date and time without any reasonable cause, the respondent authorities are at liberty to take appropriate action.

v. After medical examination of the petitioner, if the medical board finds the petitioner unfit to perform driver duties, the petitioner shall not be assigned driver duties and he shall be assigned other duties.

vi. Till the report is submitted by the fresh medical board, the petitioner shall be allowed to continue the work that he is already discharging.

vii. Additionally, the respondents are directed to pay the arrears of salary to the petitioner and continue to pay the regular salary till a proper decision is taken on the opinion of the fresh medical board.

viii. Liberty is given to the respondents to seek recall with regard to the direction to pay the salary to the petitioner if any specific order to withhold the salary was passed in accordance with law.”

4. Thus, in view of the above, the instant writ petition stands disposed of with the direction to the petitioner to submit a detailed representation before the respondents along with the certified copy of this order. In case, the representation is so addressed along with the certified copy of the order instant, the respondents shall consider grievance of the petitioner in accordance with law preferably within a period of 45 days from the date of receipt of certified copy of the order while also keeping in view the decision given by the Coordinate Bench of this Court in the case of **Azaz Ahmad (supra)**.

5. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioner's grievance. The same may not be construed to be an order to decide the representation in a particular manner.

6. The order has been passed based on the submissions made in the petition, the respondents would be free to examine the veracity of the submissions made in the petition and only in case, the averments made therein are found to be correct, the petitioner would be entitled to the relief.

7. Stay application as well as all other pending applications, if any, also stand disposed of.

(DR. NUPUR BHATI),J