

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

S.B. Civil Writ Petition No. 14737/2022

Vinod Kumar S/o Shri Koju Ram, Aged About 39 Years, R/o 6
Stb-A, Ganganagar, District Sri Ganganagar (Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Rural Development And Panchayati Raj Department, Govt. Of Raajsthan, Secretariat, Jaipur.
2. The Chief Executive Officer, Zila Parishad Sri Ganganagar District Sri Ganganagar.
3. The Vikas Adhikari, Panchayat Samiti Sri Vijaynagar, District Sri Ganganagar.
4. The Gram Vikas Adhikari, Gram Panchayat 8 Stb, Panchayat Samiti Sri Vijayanagar, District Sri Ganganagar.

-----Respondents

For Petitioner(s) : Mr. J.S. Bhalaria.

For Respondent(s) :

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

10/10/2022

It is submitted by learned counsel for the petitioner that by order dated 19.09.2022 (Annex.-P/6), the petitioner has been removed from the post of Gram Panchayat Sahayak with reference to the communication dated 16.09.2022 (Annex.-P/5) issued by the Chief Executive Officer, who in turn has relied on circular dated 08.11.2016 (Annex.-P/1), which has been wrongly applied, inasmuch as the said provision in Annex.-P/1 provides for removal only in case the employee is found guilty of the misconduct or is

found guilty by the Court. Nor the petitioner has been found guilty of the misconduct nor has been convicted by the Court so far.

In view of the submissions made, issue notice. Issue notice of the stay application also, returnable within a period of four weeks.

Notices when issued be given 'dasti' to learned counsel for the petitioner.

In the meanwhile and until further orders, effect and operation of the order dated 19.09.2022 (Annex.-P/6), shall remain stayed.

(ARUN BHANSALI),J

206-PKS/-

