

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

S.B. Civil Writ Petition No. 22648/2025

Atul Mathur S/o Shri Satyanarayan Mathur, Aged About 45 Years,
R/o 139, Champa Bhawan, Naya Bas, Jodhpur, Tehsil And District
Jodhpur, Rajasthan.

----Petitioner

Versus

1. The State Of Rajasthan, Through The Commissioner, Egs, Rural Development And Panchayati Raj Department (Mgnrega), Jaipur.
2. District Program Coordinator, Egs Cum District Collector, Jaisalmer.
3. Additional District Programme Coordinator And Chief Executive Officer, Zila Parishad, Jaisalmer.
4. Vikas Adhikari, Panchayat Samiti Sankada, District Jaisalmer.

----Respondents

For Petitioner(s)	:	Mr. Manish Patel
For Respondent(s)	:	Mr. Pawan Bharti associate to Mr. I.R. Choudhary, AAG

HON'BLE DR. JUSTICE NUPUR BHATI

Order

07/05/2026

1. The instant writ petition has been filed with the following prayers:

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i) By an appropriate writ, order or directions the order dated 31.10.2025 (Annexure-11) passed by District Program Coordinator and District Collector MGNREGA, Jaisalmer may kindly be quash and set aside.

ii) By an appropriate writ, order or directions the respondent authorities may kindly be directed that they shall pay the salary of the petitioner and the previous order dated 01.04.2025 passed in SB CWP No. 6703/2025 shall also complied with and proceed the petitioner's service as a permanent employee under the Rajasthan Contractual Hiring to Civil Post Rules, 2022.

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2. Brief facts of the case, in a nutshell, are that the petitioner was appointed to the post of Junior Technical Assistant (JTA) on

07.06.2008 on contract basis in the office of the Executive Officer, Panchayat Samiti, Sumerpur, District Pali. Thereafter, he was transferred to the Office of Zila Parishad, Jaisalmer, and was posted at Panchayat Samiti, Sankada, District Jaisalmer. The respondent-authority passed an order dated 12.02.2025 imposing a penalty of Rs.1,000/- upon the petitioner. The said order was challenged before this Court and vide interim order dated 01.04.2025, this Court stayed the effect and operation of the impugned order dated 12.02.2025. Despite submission of the aforesaid interim order before the respondents, the respondents issued notices to the petitioner alleging irregularities in the execution of job work. The petitioner duly submitted his reply to the said notices; however, the respondent-authority did not consider the same and without assigning any proper reasons, passed a non-speaking order dated 31.10.2025 (Annex.11) holding that reply submitted by the petitioner was unsatisfactory and consequently services of the petitioner were terminated with immediate effect. Hence, this petition.

3. Counsel for the petitioner contends that the impugned order is mechanical, non-speaking and violative of the principles of natural justice. He submits that despite opportunities afforded and detailed replies submitted by the petitioner, no cogent reasons were recorded for rejecting the explanation and concluding that services of the petitioner were found to be unsatisfactory.

4. *Per contra*, learned counsel representing the respondents submits that the petitioner was afforded adequate opportunity of hearing and upon consideration of his replies, his services were

found to be unsatisfactory, warranting termination in terms of the contract.

5. Heard learned counsel for the parties and perused the material available on record.

6. Admittedly, the petitioner was served notices and afforded opportunities to respond, however, the impugned order dated 31.10.2025 (Annex.11), is wholly non-speaking. It merely reproduces notices and replies "unsatisfactory" without disclosing the basis, application of mind thereto, or reasons in rejecting the petitioner's explanations and documents submitted.

7. It is a well established principle of natural justice that any authority contemplating the termination of the service of an employee, including the contractual employee, is mandatorily required to pass a reasoned order. The requirement ensures transparency, accountability and fairness in administrative actions. In the present case, the authority responsible for terminating the service of the petitioner was under an obligation to articulate the grounds and reasons for such termination. The issuance of a reasoned order is essential to demonstrate that the decision was taken based on relevant considerations and not arbitrarily or capriciously. The rules of natural justice are required to be observed in order to ensure that not only justice is done, but it manifestly seems to be done to ensure that an employee is treated fairly in proceedings which may culminate any imposition of punishment; that too, a major punishment of dismissal or termination of the service.

8. Thus, in view of the foregoing discussion, the instant writ petition deserves to be partially allowed. The impugned order

dated 31.10.2025 (Annex.11) is quashed and set aside and the respondents are directed as under:

- (i) Reconsider the matter afresh including the petitioner's replies and the documents annexed thereto;
- (ii) Pass a fresh reasoned and speaking order, assigning cogent reasons for any conclusion arrived at, and;
- (iii) Communicate the same to the petitioner within a period of 'four weeks' from the date of receipt of certified copy of this order.

9. Needless to observe that in case the respondents finds the replies of the petitioner satisfactory and no cogent reason is arrived at against the petitioner for termination of his service, then, the respondents shall reinstate the petitioner for the same post as he was working prior to passing of the impugned order.

10. The stay application along with all other pending applications, if any, also stands disposed of.

(DR. NUPUR BHATI),J

26-/Devesh Thanvi/-