

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3292/2026

Vikas Kumar Sharma

-----Petitioner

Versus

The Registrar, Cooperative Department & Ors.

-----Respondents

For Petitioner(s) : Mr. Sandeep Saxena

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

23/02/2026

Learned counsel for the petitioner submits that earlier alleging certain irregularities, one inquiry under Section 55 of the Rajasthan Cooperative Societies Act, 2001 (hereinafter to be referred as 'the Act of 2001') was initiated and its inquiry report was submitted on 24.09.2024. On the basis of findings in the inquiry report, directions for further action were given vide order dated 30.09.2024.

Learned counsel further submits that such inquiry report dated 24.09.2024 as well as order dated 30.09.2024 was further challenged by the petitioner by way of filing appeal under Section 107 of the Act of 2001. Appeal filed by the petitioner was allowed vide order dated 27.11.2025, whereby inquiry report as well as order dated 30.09.2024 has been quashed.

Learned counsel also submits that the Appellate Authority while deciding the appeal filed by the petitioner has examined the matter on merits and has given a finding that the amount alleged to be embezzled or mismanaged, is not liable to be recovered and

it has also been observed that other employees/officers are liable for this.

Learned counsel submits that while deciding the appeal vide order dated 27.11.2025, no liberty was given to the competent authority to re-initiate any inquiry under Section 55 of the Act of 2001. However, in quite arbitrary and unauthorized manner, vide order dated 03.02.2026, again with same points, which have already been adjudicated and finalized by the Appellate Authority vide order dated 27.11.2025, inquiry is again being ordered to be initiated against the petitioner.

Learned counsel submits that for one act, the petitioner cannot be vexed twice and cannot be subjected to inquiry after quashing the earlier inquiry report on the same issues.

Matter requires consideration.

Issue notices to the respondents.

In the meanwhile and till further orders, the respondents are restrained from proceeding further in respect of order dated 03.02.2026.

(ANAND SHARMA),J