

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3345/2026

Ashok Kumar-IV S/o Shri Hanuman Singh

-----Petitioner

Versus

District Collector and District Magistrate & Ors.

-----Respondents

For Petitioner(s) : Mr. Pradeep Kumar Chaudhary with
Mr. Waseem Ahmed Qureshi,
Mr. Parth Singh Dhaked,
Mr. Gaurav Choudhary &
Ms. Sneha Sharma

For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

24/02/2026

Learned counsel for the petitioner submits that earlier while applying Rule 26(1) of the Rajasthan Service Rules, 1951 (for short, 'the Rules of 1951'), the respondents themselves have fixed the pay of the petitioner in accordance with Rules and without there being any allegation of misrepresentation/fraud upon the petitioner. However, while withdrawing the benefit of Rule 26(1) of the Rules of 1951 in the garb of Rule 15 of Rajasthan Civil Services (Revised Pay) Rules, 2008, the respondents also directed to effect recovery of alleged excess amount vide orders dated 28.07.2020 & 24.09.2020.

Learned counsel for the petitioner further submits that although the petitioner approached Rajasthan Civil Services Appellate Tribunal, Jaipur (for short, the Tribunal'), however,

tribunal has failed to properly appreciate the facts of the case, material on record and law prevailing at the relevant time.

Matter requires consideration.

Issue notices to the respondents.

Learned counsel for the petitioner is directed to serve two copies of present writ petition in the offices of Mr. Archit Bohra, AGC and Mr. V.D. Gathala, AGC, who shall seek instructions and file reply to the writ petition by the next date.

Names of Mr. Archit Bohra, AGC and Mr. V.D. Gathala, AGC, be shown in the cause list as counsels for the respondents.

In the meanwhile and till further orders, respondents are restrained from effecting any recovery from the petitioner pursuant to aforesaid orders dated 28.07.2020 & 24.09.2020.

(ANAND SHARMA),J