

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3861/2026

Vishnu Garg S/o Shri Duli Chand Garg, Aged About 62 Years,
Resident Of Maladevi Mohalla, Baran Police Station, Baran (Raj.)

-----Petitioner

Versus

State Of Rajasthan, Through Principal Secretary, Department Of
Education, Government Secretariat, Jaipur (Raj.)

Director, Elementary Education, Bikaner (Raj.)

District Education Officer (Elementary Education), Baran (Raj.)

District Education Officer (Hq), Elementary Education, Baran
(Raj.)

-----Respondents

Connected With

S.B. Civil Writ Petition No. 5982/2026

Manju Garg

-----Petitioner

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Ashwinee Kumar Jaiman. Mr. Himanshu Jain.
For Respondent(s)	:	

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

07/04/2026

In S.B. Civil Writ Petition No. 3861/2026-

1. Heard on interim stay application.
2. Learned counsel appearing on behalf of the petitioner submits that the respondent-Authorities have inspected the School, where the petitioner was posted as a Teacher

Grade-III and on the inspection, the Authorities found that the petitioner instead of working himself has employed another person and drawing the salary as a teacher. In this regard, an FIR and disciplinary proceedings were initiated and while the disciplinary proceedings are pending, the impugned recovery notice has been issued by the respondent-Authorities.

3. It is also his submission that such a recovery can only be done as and when inquiry is proved against the petitioner and before concluding the inquiry proceedings, the respondent-Authorities have no locus to pass the impugned recovery order.
4. In view of the submissions made, prima facie, this Court is inclined to stay the recovery orders dated 28.08.2025 and 16.10.2025 (Annex. 1 and 2, respectively).
5. Admit.
6. Issue notice to the respondents, returnable in four weeks.
7. List the matter on 07.05.2026.

In S.B. Civil Writ Petition No. 5982/2026-

One week time is granted to the petitioner to cure the defect(s) pointed out by the office, failing which, the petition stands dismissed without reference to the Court.

List the matter on 16.04.2026.

(MUNNURI LAXMAN),J