

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 243/2026

Smt. Sangam Choudhary Wife Of Shri Vishvendra Singh, Aged About 37 Years, Resident Of Village And Post Arruwa, Tehsil Kathumar, District Alwar, Rajasthan.

----Appellant

Versus

1. State Of Rajasthan, Through The Chief Secretary, Government Of Rajasthan, Secretariat, Jaipur Rajasthan.
2. Secretary, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Jaipur, Secretariat, Rajasthan.
3. Additional Commissioner And Deputy Secretary To The Government (Ii), Panchayati Raj Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
4. Divisional Commissioner, Jaipur Division, Jaipur
5. District Collector, Alwar
6. Chief Executive Officer, Zila Parishad Alwar, Rajasthan.
7. Block Development Officer, Panchayat Samiti, Kathumar, District Alwar

----Respondents

For Appellant(s)	:	Mr. Pradeep Kalwania
For Respondent(s)	:	-----

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

19/03/2026

1. The appellant by way of this writ petition challenges the judgment dated 26.02.2026, whereby her writ petition was dismissed.
2. Learned counsel for the appellant vehemently argued that the learned Single Judge has erred in rejecting the writ petition.

He submits that the appellant had been reinstated by the respondents on the basis of Government's decision to reinstate. Although the stay order has been passed by the High Court staying the earlier suspension order dated 25.04.2025, the same was not implemented and the learned Single Judge has failed to take into consideration that an elected person could not have been suspended again. Learned counsel has further submitted that merely because of the earlier dismissal of the writ petition, the suspension order could not have been passed again. Moreover, he submits that while the decision was taken by the High Court in dismissing the earlier writ petition on 20.08.2025, the subsequent suspension order passed in January 2026 is not in consequence of the dismissal of the writ petition. He further submits that while the Court had passed an order in the earlier writ petition to conclude the inquiry within a period of three months, the inquiry had not been even concluded. The suspension order dated 22.01.2026, therefore, was required to be quashed and the writ petition deserves to be allowed.

3. We have considered the submissions.

4. We notice that the order dated 22.01.2026 is not a suspension order, but is mainly an order by which the petitioner was not disallowed to perform duties. The order was passed in consequence of the dismissal of the earlier writ petition of the petitioner.

5. In the writ petition No.6663/2025 filed earlier by the petitioner against the order dated 25.04.2025 by which she had been suspended, an interim order was passed on 09.05.2025 staying the operation of the suspension order dated 25.04.2025.

The compliance of the stay order dated 09.05.2025 was made by issuing order dated 20.08.2025. Incidentally, the main writ petition came to be heard and judgment was reserved on 11.08.2025 and pronounced on 20.08.2025 itself when the petitioner was reinstated, the learned Single Judge dismissed the writ petition.

6. In view of the dismissal of the main writ petition, the stay order passed earlier would also merge and in fact the appellant would be treated to be under suspension from that date itself. However, the respondents passed an order on 22.01.2026, whereby it did not allow the petitioner to perform her duties of Pradhan.

7. Assailing the same, the petitioner filed a writ petition before this Court. The learned Single Judge has noticed that the petition challenging the suspension order dated 25.04.2025 was dismissed by the High Court. Therefore, the reinstatement order dated 20.08.2025 would become ineffective as the order dated 20.08.2025 of reinstatement was on account of the interim order passed by the Court. The writ petition for allowing the petitioner to join, therefore, was rejected.

8. The contention of learned counsel that after the petitioner had been reinstated on 20.08.2025, the right to join on the post and the concerned officer could not prevent her from performing duties of Pradhan is wholly misconceived. Upon the dismissal of the earlier writ petition, where initially stay was granted, the stay order would stand automatically vacated as it is settled law that an interim order gets merged with the final order. Thus, the original order of suspension order dated 25.04.2025 would come

into operation again and the petitioner-appellant would be treated to be under suspension.

9. Consequently, she could not have been allowed to join duties as a Pradhan and the letter dated 23.01.2026 therefore issued by the Additional Chief Executive Officer, Zila Parishad, Alwar did not warrant interference.

10. The appeal is found to be therefore without merits.

11. Accordingly, the Special Appeal Writ is dismissed.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACTING CJ