

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7469/2026

Shri Bhanwar Lal Meharda (B.I. Meharda) Ras, S/o Shri Sultan Meharda, Aged About 61 Years, R/o House No. 104, Vidhyut Nagar-C, Near Vaishali Nagar, Jaipur (Rajasthan)

-----Petitioner

Versus

The State Of Rajasthan, Through Principal Secretary, Department Of Personnel (K-3/enquiry), Government Of Rajasthan, Government Secretariat, Jaipur.

-----Respondent

For Petitioner(s)	:	Mr. Devkrishna Purohit
For Respondent(s)	:	

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

05/05/2026

1. Learned counsel for the petitioner submits that two separate FIRs were registered against the petitioner, out of which FIR No.120/2021 was registered on 12.04.2021 for offences punishable under Sections 7 & 8 of the Prevention of Corruption Act, 1988 and Sections 201 & 120-B of IPC, while another FIR No.340/2022 was registered for offence punishable under Section 13(1)(e) of PC Act. It is submitted that in the subsequent FIR, negative final report has already been filed by the Investigating Agency, however, in the first FIR charge-sheet has been filed. It is contended by the learned counsel for the petitioner that two separate memorandums of charge were served upon the petitioner on 09.05.2025 and 29.08.2025, respectively. Counsel submits that the aforesaid memorandums of charge were served after a lapse

of more than four years from the date of occurrence i.e., 10.04.2021. Counsel has relied upon the Circular dated 30.04.1999 issued by the Department of Personnel wherein it is provided in Point No.14 that departmental charge-sheet should be served at least six months prior to the date of superannuation of the employee. He submits that the petitioner retired from service on 31.08.2025, therefore, the said departmental charge-sheets were served upon the petitioner soon before his retirement. It is also evident that charges are similar, for which the petitioner is also facing a criminal trial. Counsel argues that on the same set of facts, two separate proceedings i.e., criminal and departmental cannot run simultaneously.

2. Matter requires consideration.

3. Issue notice to the sole respondent, through both the processes, returnable by next date of hearing. Requisites be filed within a period of two weeks, failing which this petition shall stand dismissed automatically without any further reference to the Bench.

4. List this case after six weeks.

5. Till the next date of hearing, the departmental proceedings initiated against the petitioner in respect of charge-sheet dated 29.08.2025 shall remain stayed.

(ANIL KUMAR UPMAN),J