

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 7962/2026

URN: CW / 17466U / 2026

Anil Manju Son Of Shri Rakesh Manju, Aged About 31 Years,
Resident Of Ward No.22, Road No.3, Sainik Colony, Jhunjhunu
(Raj.)

----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary,
School Education Department, Government Of Rajasthan,
Secretariat, Jaipur.
2. Director, Secondary Education, Rajasthan At Bikaner.
3. District Education Officer (Head Quarter), Secondary
Education, Jhunjhunu (Raj.).
4. Principal, Mahatma Gandhi Government School,
Chhawashree, P.s. Udaipurwati, District Jhunjhunu (Raj.)

----Respondents

For Petitioner(s) : Mr. Mahendra Singh Gurjar

For Respondent(s) : Mr. Devansh Sharma, Dy. GC

HON'BLE MS. JUSTICE REKHA BORANA

Order

09/07/2026

1. The case of the petitioner is that he has not been permitted to discharge his duties on the post of Assistant Teacher (Level-2) [English] on the pretext that he remained absent from 22.10.2025 to 21.01.2026.

2. Learned counsel for the petitioner submits that without taking any action in accordance with law, particularly under Rule 18 of the Rajasthan Contractual Hiring to Civil Posts Rules, 2022, the respondents cannot restrain the petitioner from performing his duties.

3. Learned counsel for the respondents, however, submits that an Enquiry Committee has already been constituted to investigate into the matter and after final determination by the Committee, appropriate action shall be taken against the petitioner.

4. After hearing the counsels, it is clear that no notice, whatsoever, has been served on the petitioner till date. Further, even the documents pertaining to the Enquiry Committee have not been placed on record. It is an admitted fact that no finding has yet been recorded by the Enquiry Committee. It is further an admitted fact that the tenure of the petitioner has been extended uptill 06.12.2026.

5. In view of the above overall facts and circumstances of the case, the petitioner is entitled to discharge his duties until any formal order, in terms of law, is passed against him.

6. The stay petition is hence **allowed**. The respondents are directed to permit the petitioner to discharge his duties, with immediate effect.

7. It is however, made clear that the present order shall not restrain the respondents from undertaking any disciplinary proceedings/enquiry proceedings/action against the petitioner, in accordance with law.

(REKHA BORANA),J