

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 425/2026

Dr. Meeta Mathur W/o Sh. Brijendra Singh D/o Sh. S.k. Mathur,
Aged About 53 Years, R/o 261, Shri Gopal Nagar, Gopalpura By-
pass 80 Feet Road, Jaipur (Raj.).

----Appellant

Versus

- 1 Prof. Alpana Kateja, Vice Chancellor, University Of Ra-
jasthan, Jln Marg, Jaipur, Rajasthan- 302004.
- 2 University Of Rajasthan Through Registrar, Jln Marg,
Jaipur, Rajasthan.
- 3 Prof. J.p. Sharma (Retd.), B-49, Sidharth Nagar, Near
Jawahar Circle, Jaipur, Rajasthan- 302017.

----Respondents

For Appellant(s)	:	Mr. Manish Parihar
For Respondent(s)	:	Mr. A.K. Sharma, Sr. Adv. Assisted by Mr. Madhav Dadhich & Mr. Rachit Sharma Mr. Vishnu Kant Sharma

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BIPIN GUPTA

Order

04/05/2026

1. It is settled law that a charge-sheet would not ordinarily be interfered with unless it suffers from gross arbitrary action on part of the Disciplinary Authority. In this regard, the law is well settled by the Hon'ble Apex Court in the case of **The Secretary Ministry of Defence & Ors. Vs. Prabhash Chandra Mirdha, reported in (2012) 11 SCC 565**, wherein it was observed as under:

"12. In State of Orissa and Anr. v. Sangram Keshari Misra and Anr. MANU/SC/0860/2010: (2010) 13 SCC 311, this Court held that normally a chargesheet is not quashed prior to the conclusion of the enquiry on the

ground that the facts stated in the charge are erroneous for the reason that correctness or truth of the charge is the function of the disciplinary authority. (1994) 3 SCC 357). (See also: Union of India and Ors. V. Upendra Singh MANU/SC/0680/1994:

13. Thus, the law on the issue can be summarised to the effect that chargesheet cannot generally be a subject matter of challenge as it does not adversely affect the rights of the delinquent unless it is established that the same has been issued by an authority not competent to initiate the disciplinary proceedings. Neither the disciplinary proceedings nor the chargesheet be quashed at an initial stage as it would be a premature stage to deal with the issues. Proceedings are not liable to be quashed on the grounds that proceedings had been initiated at a belated stage or could not be concluded in a reasonable period unless the delay creates prejudice to the delinquent employee. Gravity of alleged misconduct is a relevant factor to be taken into consideration while quashing the proceedings."

2. The scope of interference in the departmental enquiry is very limited, as laid down by the Hon'ble Apex Court in the case of **Union of India Vs. P Gunasekaran**, reported in **Manu/SC/1068/2014**.

3. In this regard reference may be given to law laid down in the case of **State of Orissa Vs. Sangram Keshari Mishra**, reported in **(2010) 13 SCC 311**.

4. However, the stage has not even arrived for the departmental enquiry to be concluded and hence, at this stage when the charge-sheet had already been issued after conducting the preliminary enquiry, the appellant is always free to take up all the relevant arguments which he wants to take in defense before the enquiry officer. If he has any allegation of enquiry officer being biased, the same can also be taken up at that stage for change of enquiry officer. The Disciplinary authority would take a call in this regard and decide whether the enquiry officer is required to be

changed or whether the allegation is wholly artificial and without bias.

5. We notice that the learned Single Judge has examined all the aspects and also considered the judgments cited at the Bar to reach to a conclusion that the stage had not arrived at all for the Court to examine the validity of the allegation or that the charge-sheet was wrongfully issued.

6. As regards the allegation of malice, we find that the learned Single Judge has reached to the conclusion that there is no malice and the Vice Chancellor has acted biased on a preliminary enquiry report where it was found that the complaint against the appellant of having submitted forged documents for the purpose of granting CAS was substantially made out. Be that as it may, the preliminary enquiry report is only for the purpose of relevance and not for conducting actually enquiry and independent enquiry report has to be prepared.

7. We notice that the learned Single Judge took note of an enquiry officer being appointed who is a Retired⁷ District Judge. Thus, we expect the enquiry to be conducted fairly and without bias. Of course, the directions of the learned Single Judge to conduct the enquiry expeditiously deserves to be appreciated. We also direct the same.

8. With the said observations, the appeal is dismissed. All pending applications stand disposed of.

(BIPIN GUPTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ