

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8210/2026

Bahadur Singh Tabiyad S/o Shri Hari Singh Tabiyad, Aged About 48 Years, Resident Of Ghaneva Post Adevada, Tehsil Arthuna District Banswara (Rajasthan) Pin Code- 327034. Employee Id-Rjbn199903016971.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Personnel, Government Of Rajasthan, Secretariat, Jaipur
2. The Principal Secretary, Department Of Rural Development And Panchayati Raj ,government Of Rajasthan, Secretariat, Jaipur.
3. Additional Commissioner And Deputy Secretary- Second, Department Of Rural Development And Panchayati Raj ,government Of Rajasthan, Secretariat, Jaipur.
4. Chief Executive Officer, Zila Parishad, Banswara, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Pradeep Mathur with
Mr. Saurabh Khandppa &
Ms. Anushree Mathur

For Respondent(s) :

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

07/05/2026

1. Issue notice to the respondents, through both the process, returnable by next date of hearing. Requisites be filed within a period of two weeks.
2. Heard on interim relief.

3. Leaned counsel for the petitioner submits that vide impugned order dated 19.12.2023, respondent No.2 has penalized the petitioner by withholding his one annual grade increment without cumulative effect. Counsel submits that the aforesaid penalty is a minor penalty and the same shall not be a ground for non-consideration of the petitioner's case for promotion. Counsel submits that if petitioner's case is not considered for promotion, the aforesaid minor penalty itself would become a major penalty. Counsel further submits that the case of the petitioner should be considered by the respondents for promotion in upcoming DPC for the post of Development Officer as his name is very well reflected in the final seniority list issued by respondent No.2 for promotion, but due to imposition of aforesaid minor penalty, the respondents are not considering the petitioner's case for promotional post, therefore, it is prayed that interim relief may be granted to the petitioner.

4. Having considered the entirety of the case and submissions made by learned counsel for the petitioner, this Court deems it appropriate to direct the respondents to consider the case of the petitioner for promotion to the post of Development Officer in the upcoming DPC, if he is, otherwise, found eligible for consideration to the promotional post, however, he shall not be entitled for promotion until the present writ petition is decided and the result of promotion of the petitioner shall be kept in sealed cover and the same shall be subject to final outcome of the present writ petition.

5. It is made clear that the respondents shall fill-up the vacant posts by way of promotion without waiting for the decision of the present writ petition, however, if the petitioner succeeds in the

present writ petition, he would be entitled for promotion by virtue of DPC and would be entitled to get all the benefits from the date, on which, his Junior is promoted.

6. List this matter after six weeks.

(ANIL KUMAR UPMAN),J