

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 444/2024

1.

The State Of Rajasthan, Through The Principal Secretary,
Department Of Home, Government Secretariat, Jaipur.
2.

The Director General Of Police, Police Headquarter, Lal
Kothi, Jaipur.
3.

Inspector General Of Police, Bharatpur Range, Bharatpur
4.

The Superintendent Of Police, Office Of Superintendent Of
Police, District Bharatpur (Rajasthan)

----Appellants

Versus

Arjun Singh Son Of Shri Kamal Singh, Aged About 56 Years,
Resident Of Tehsil Ucchain, Village And Post Ucchain, District
Bharatpur (Rajasthan)

----Respondent

For Appellant(s)

:

Mr. Vishnu Dutt, Adv. on behalf of
Mr. Bhuwadesh Sharma, AAG
Mr. Vishnu Dutt, AAAG
Ms. Epsa Nangalia, Adv.

For Respondent(s)

:

Mr. Sandeep Singh Shekhawat

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

23/02/2026

This appeal has been filed by the appellants challenging the order dated 11.03.2024 passed by the learned Single Judge of this Court whereby the writ petition filed by the respondent-writ petitioner was allowed.

This Court while issuing notice to the respondents on 15.04.2025 passed the following order:-

“Heard.

We are inclined to entertain this appeal
only to the extent that the learned Single

Judge has ordered the payment of all consequential benefits.

Mr. David Mehla, associate of Mr. Sandeep Singh Shekhawat enters appearance and takes notice to show cause as to why the order passed by the learned Single Judge be not modified to the extent stated above.

List this matter after four weeks.

Till the next date of hearing, the impugned order to the extent it directs the payment of consequential benefits shall remain in abeyance subject to the condition that the appellants shall be obliged to reinstate the respondent forthwith."

Counsel for the appellants submits that the learned Single Judge has quashed the order of termination passed by the competent authority as well as the order passed by the Appellate Authority. Counsel further submits that the respondent is an habitual offender and at the time of passing of the order, two criminal cases were registered against him.

Counsel for the respondent opposed the submissions made on behalf of the appellants and submitted that this Court has issued notice on the appeal only to the extent of payment of actual consequential benefits. Counsel further submits that the order passed by the learned Single Judge with regard to quashing of the termination order as well as the order passed by the Appellate Authority has already been upheld by the Division Bench of this Court and prayed for allowing the consequential benefits and in alternative for allowing the notional benefits.

Heard counsel for the parties and perused the record.

This Court while issuing notice to the respondents stayed the order of the learned Single Judge only to the extent of grant of consequential benefits. We are of the considered view that since the respondent has not actually worked with the department, he is

not entitled for monthly back wages and since the order of termination has been set aside by the learned Single Judge, therefore the respondent is entitled for notional benefits.

In that view of the matter, this appeal is disposed of. The order passed by the learned Single Judge 11.03.2024 is modified to the extent of granting of notional benefits instead of consequential benefits to the respondent-petitioner.

(RAVI CHIRANIA),J

(INDERJEET SINGH),J