

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



S.B. Civil Writ Petition No. 11725/2026

URN: CW / 25936U / 2026

Vishnu Chand Goyal S/o Pyare Lal Goyal, Aged About 57 Years,
R/o 83 B, Shastri Nagar, Dadabadi, Kota, Rajasthan Then
Superintendent Engineer, Public Health And Engineering
Department, Circle- Jhalawad, Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Department Of
Personnel, Government Of Rajasthan, Secretariat, Jaipur.
2. The Deputy Secretary, Department Of Personnel (K-3 /
Enquiry Department), Government Of Rajasthan,
Secretariat, Jaipur.
3. Joint Secretary-1, Department Of Public Health And
Engineering Jaipur (Rajasthan)

-----Respondents

For Petitioner(s)	:	Mr. Vijendra Yadav
For Respondent(s)	:	Mr. Neeraj Batra, G.C. Ms. Sneha Kaushal

HON'BLE MS. JUSTICE REKHA BORANA

Order

17/07/2026

1. Counsel for the petitioner, at the very inception, submits that
the present petition be disposed of in terms of the same
guidelines/timeline as framed by the Co-ordinate Bench of this
Court in Bhagirath Ram Vs. State of Rajasthan & Ors.; S.B. Civil
Writ Petition No. 2682/2021 (decided on 13.09.2021).
2. Counsel for the respondents does not refute the above
submission.

3. In **Bhagirath Ram** (supra), the Court observed and directed as under:

*"27. The sword of damocles cannot be kept hanging over the petitioner's head over indefinite period. Even if the proceedings are to be stayed, they cannot be stayed ad infinitum or infinitely. In order to strike a balance between the petitioner's rights of defence and zeal to protract the inquiry and State's anxiety and concern to conclude the inquiry expeditiously and in order to ward off undue haste or inordinate delay, the writ petition is disposed of with the following **timeline**:-*

(i) The disciplinary proceedings shall remain stayed for a period of three years from today.

(ii) Petitioner will be required to file his statement in defence/reply along with the list of witnesses (if any) within a period of 30 days from today. Such period is extendable by not more than 30 days for reasons to be recorded by the disciplinary authority, if facts and circumstances so warrant.

(iii) After completion of three years, the disciplinary authority shall resume the proceedings by giving at least a 15 days' notice to the delinquent/employee of his intentions so to do and to inform about the status of criminal case.

(iv) It will be required of the petitioner - employee to place relevant material, including copies of the order-sheets/ proceedings of the Court, stage of the trial, list of witnesses and number of witnesses examined by that time and any other relevant information.

(v) The petitioner will be free to make a request to adjourn the proceedings further, while indicating reasons and grounds for the same.

(vi) The disciplinary authority in such event, shall independently apply his mind on the material placed and progression of the criminal case and decide as to whether the enquiry is required to be stayed any further

(vii) In case, the disciplinary authority is of the view that the enquiry is required to be kept on hold any further, he will keep the same in abeyance for a further period, not more than two years.

(viii) On completion of such period (total five years), the disciplinary authority shall take up the proceedings by appointing an inquiry officer under

intimation to the petitioner, who shall, then, proceed in accordance with law, while following procedure provided under Rule 16 of the CCA Rules of 1958.

(ix) Needless to observe that if criminal case itself is decided either way, during the aforesaid period of three/five years, the disciplinary authority shall be free to resume the inquiry, of course while observing principles of natural justice.

(x) Above time frame is a broad guideline and directory in nature; non adherence thereto will not per-se vitiate the proceedings."

4. In view of the above, the present writ petition is **disposed of** on the same directions and guidelines/timeline as framed in ***Bhagirath Ram*** (supra).

5. Stay application and pending application(s), if any, stand **disposed of**.

(REKHA BORANA),J