

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 12082/2026

URN: CW / 26668U / 2026

Vikesh Singh Son Of Shri Vikram Singh, Aged About 38 Years,
Resident Of Karan Singh Farm, Pakka Bhag, Bharatpur.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary-Cum-Commissioner, Transport And Road Safety Department, Jaipur.
2. The District Transport Officer, Sawai Madhopur.

-----Respondents

For Petitioner(s) : Mr. Banwari Lal Sharma
Mr. Namo Narayan Sharma

HON'BLE MS. JUSTICE REKHA BORANA

Order

17/07/2026

1. The present writ petition has been filed aggrieved of order dated 18.11.2025 (Annexure-9) whereby the appeal as filed by the petitioner against his order of suspension dated 27.05.2025 (Annexure-1), stood rejected. Order dated 19.05.2026 (Annexure-12) whereby the review petition as filed against the said order stood dismissed, is also under challenge. Order dated 27.05.2025 whereby the petitioner was placed under suspension, in contemplation of departmental enquiry, has also been assailed.
2. Learned counsel for the petitioner submits that several employees of the respondent-RSRTC stood suspended qua the incident in question. The suspension of three of such employees was revoked in compliance of order dated 05.12.2025 (Annexure-13) passed in S.B. Civil Writ Petition No.14761/2025. Qua one of

such employee, an interim order had been granted on 26.05.2026 (Annexure-14) in S.B. Civil Writ Petition No.9445/2026.

3. Counsel submits that although a charge-sheet had been served on the petitioner subsequent to his suspension, but then, no further steps have been taken in the disciplinary proceedings as the documents as requested by the petitioner have not been supplied till date.

4. Counsel, while relying upon the Apex Court judgment in **Ajay Kumar Choudhary Vs. Union of India; (2015) 7 SCC 291**, submits that the present being a prolonged suspension, deserves reconsideration and revocation.

5. Counsel lastly submits that even otherwise the petitioner had been transferred to Bharatpur before the suspension order been passed and hence there were no chances of him tampering with any evidence. Therefore too, his suspension deserves revocation.

6. In **Ajay Kumar Choudhary** (supra), the Hon'ble Apex Court held as under:

*"21. We, therefore, direct that the currency of a suspension order should not extend beyond three months if within this period the memorandum of charges/charge-sheet is not served on the delinquent officer/employee; **if the memorandum of charges/charge-sheet is served, a reasoned order must be passed for the extension of the suspension.** As in the case in hand, the Government is free to transfer the person concerned to any department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The*

Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognised principle of human dignity and the right to a speedy trial and shall also preserve the interest of the Government in the prosecution. We recognise that the previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time-limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation, departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us."

7. In view of the submissions made and in view of the ratio laid down in **Ajay Kumar Choudhary** (supra), the present writ petition is **disposed of** with a direction to the petitioner to file a detailed representation raising all his above grounds within a period of 7 days from now. The representation as filed, be positively decided by the Competent Authority within a period of four weeks from the date of receipt of the same. The Authority shall be under an obligation to keep into consideration the observations as made in **Ajay Kumar Choudhary** (supra), while deciding the representation.

8. Stay petition and all pending application(s), if any, also stand **disposed of**.

(REKHA BORANA),J