

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15716/2025

Imran Khan S/o Manir Khan, Aged About 45 Years, Resident Of
Near Masjid, Vpo Alsisar, Jhunjhunu

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary,
Education Department, Government Secretariat, Jaipur.
2. The Director, Secondary Education, Bikaner, Rajasthan
3. The District Education Officer, Secondary Education,
Headquarter, Jhunjhunu
4. The Joint Director, School Education, Churu Division,
Churu

----Respondents

For Petitioner(s)	:	Mr. Tanveer Ahamad
For Respondent(s)	:	Ms. Pooja Sharma, AAAG and Mr. Vishal Kumar for Mr. Manoj Sharma, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

10/12/2025

1. Instant writ petition has been filed by the petitioner with
following prayers:

“It is, therefore humbly prayed that Your
Lordship may graciously be pleased to accept
and allow this Writ Petition and by an
appropriate writ, order or direction:

1. The action & omission of the respondents
in not allowing the petitioner to join without
passing any order may be declared arbitrary
& illegal and accordingly the respondents may
be directed to allow the humble petitioner to
join on the post of Headmaster which is now
designated as the post of Vice Principal
Secondary Education in District Jhunjhunu at
any place in district Jhunjhunu.

2. The respondents may also be directed to
provide the copies of the material in support

of the inquiry report used by the respondents and referred in the inquiry report.

3. The respondents may also be directed to release the salary of the intervening period from 16.01.2020 till date with interest @9% p.a.

4. The respondents may also be directed to pay compensation to the humble petitioner suitably for mental agony and harassment for last about more than about 05 years, in the interest of justice.

5. The respondents may also be directed to provide material in support of the inquiry report, so that the petitioner may submit representation to them.

6. The apart from inquiry report other material which petitioner has sought from the office of the District Education Officer, Jhunjhunu be also directed to be provided to the humble petitioner, in the interest of justice.

7. Cost of the writ petition may also be awarded in favour of the humble petitioner.

8. Any other appropriate order, which may be found just and proper in the facts and circumstances of the case, be passed in favour of the Petitioner."

2. The respondent(s) have also filed reply to the writ petition.

3. During course of arguments, learned counsel appearing for respondent(s) submits that the services of petitioner were terminated vide order dated 29.08.2025 and same is annexed as Annexure R/1 with their reply but the petitioner has not challenged the order of removal from service and unless the petitioner challenged the order of removal from service, his writ is not maintainable as the petitioner is not in service.

4. Learned counsel for petitioner submits that though this writ petition is filed on 24.09.2025 but order dated 29.08.2025 is neither served upon the petitioner and nor he was made aware about the order of removal from service, therefore, the liberty be granted to the petitioner to withdraw this writ petition at this stage and refile the writ petition or avail any other remedy

available under the law to include challenge to order dated 29.08.2025.

5. Learned counsel for respondent(s) has no objection in case of withdrawal of writ petition with liberty as aforesaid.

6. Having considered aforesaid, the writ petition is disposed of as withdrawn with liberty as aforesaid.

7. Misc. application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J