

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

S.B. Civil Writ Petition No. 20531/2018

Harish Kumar Sharma S/o Shri Satyanarayan Sharma, Aged
About 35 Years, R/o Village Bhandra, Post Sadera, Tehsil
Nenawa, Distt. Bundi (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary To Govt.,
School Education, Government Of Rajasthan, Secretariat,
Jaipur (Raj.)
2. The District Education Officer Cum Member Secretary,
Elementary Education, Bundi (Raj.).
3. The District Collector, Bundi (Raj.)
4. The Chief Executive Officer, Zila Parishad Bundi (Raj.).
5. The Village Development Officer, Village Panchayat
Sadara, Panchayat Samiti Nenawa, Distt. Bundi (Raj.)
6. The Sarpanch, Gram Panchayat Sadara, Panchayat Samiti
Nenawa, Distt. Bundi (Raj.)
7. The Panchayat Elementary Education Officer Principal
Govt. Senior Secondary School, Bhandera, Distt. Bundi.

-----Respondents

For Petitioner(s)	:	Mr. Mahendra Sharma
For Respondent(s)	:	Mr. Kapil Prakash Mathur, AAG Mr. Gopal Krishan Sharma, AGC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

24/02/2026

1. Instant writ petition is preferred by petitioner with following
prayer:
 - i) By appropriate, writ, order or direction the
impugned order dated 26.07.2018 whereby the
services of the petitioner from the post of Gram

Panchayat Sahayak at Gram Panchayat Sandera, Panchayat Samiti Nenawa, Distt. Bundi may kindly be quashed and set aside and further the respondents be directed to allow the petitioner to continue on the post of Gram Panchayat Sahayak at Gram Panchayat Sadera, Panchayat Samiti Nenawa Distt. Bundi in pursuance of appointment order dated 10.10.2017 with all consequential benefits;

ii) By appropriate, writ, order or direction the respondents be directed to release due salary of the petitioner from the month of Nov-2017 to till today with interest;

2. Learned counsel for the petitioner submits that the services of the petitioner were terminated by respondent No. 6, Sarpanch, who is not competent to issue termination order. He further submits that despite all efforts, respondent No. 6 could not be served, personally.
3. Learned counsel appearing on behalf of respondent Nos. 1 to 5 and 7 submits that the petitioner may submit a representation and the same shall be examined by the department.
4. Office is directed to reflect the names of Mr. Kapil Prakash Mathur, AAG and Mr. Gopal Krishna Sharma, AGC for respondent Nos. 1 to 5 and 7.
5. The petitioner has filed the present writ petition to challenge the order dated 26.07.2018 issued by Village Panchayat, Nainwa, Bundi, (jointly by the Sarpanch of Village Panchayat

and the Village Development Officer, Village Panchayat, Sandera). The order dated 26.07.2018 clearly indicates that on the basis of complaints placed before the meeting of Gram Sabha and upon approval thereof, the services of the petitioner were terminated.

6. The petitioner has claimed that he has been deputed in Government Secondary School, Sandera, and his attendance and work has been certified by the concerned school. He has placed reliance upon Annexures 10 to 13 in support of his claim.
7. Having considered the issue raised herein, it is deemed appropriate to dispose of the present writ petition with a direction to the petitioner to submit a representation to the District Collector, Bundi within a period of 60 days from the date of receipt of a certified copy of this order. After receipt of such representation, respondent No. 3 – District Collector, Bundi shall consider the same in accordance with the regulations and guidelines issued by the State of Rajasthan in this regard, and also the fact that the petitioner was removed in stigmatic manner without conducting enquiry.
8. If it is found that the Sarpanch, Village Panchayat, was not competent to issue the order dated 26.07.2018, appropriate orders shall be passed to reinstate petitioner, treating the said order as nullity in the eye of law, being issued without competence. The District Collector shall also consider the report of the Chief Executive Officer and issue appropriate directions to the District Education Officer (Elementary

Education) in this regard, along with the documents submitted by the petitioner.

9. The District Collector shall dispose of the representation within a period of 60 days from the date of receipt of representation.
10. Accordingly, the writ petition stands disposed of. Misc. application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J