

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16594/2025

Bhagirath Prasad Yadav Son Of Shri Ganga Ram Yadav

-----Petitioner

Versus

State Of Rajasthan & Anr.

-----Respondents

For Petitioner(s) : Mr. Dinesh Yadav
Mr. Ankit Yadav
Mr. Mahendra Verma

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

10/11/2025

1. Counsel for the petitioner stated that memorandum along with charge-sheet dated 10.01.2022 under Rule 16 of CCA Rules, 1958 was served upon the petitioner and the Inquiry Officer, vide inquiry report on 23.11.2023 (Annexure-4), has concluded the petitioner was *prima facie* not found guilty for all four charges leveled against him.

3. Upon said inquiry report, communication dated 27.12.2023 has been issued under Rule 16 (10) of CCA Rules, requiring the petitioner to submit his explanation.

4. However, after a lapse of around two years, disciplinary authority has issued the order impugned dated 19.09.2025 and while returning the inquiry report has ordered for de novo inquiry.

5. Counsel for the petitioner submits that the action of the respondents is arbitrary and based on extraneous consideration as once after receiving the inquiry report, explanation of the

petitioner was called under Rule 16 (10) of CCA Rules, it was not open for the disciplinary authority to take a U-turn and resort to the Rule 16 (9) of the CCA Rules.

6. Matter requires consideration.

7. Issue notice of the writ petition as well as stay application to the respondent(s). Returnable by four weeks.

8. In the meantime, further proceedings in pursuance of the order dated 19.09.2025 (Annexure-10) shall remain stayed.

(SANJEET PUROHIT),J