

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16083/2025

Babulal Soni S/o Keshar Dev Soni, Aged About 60 Years, R/o 12-A Vishnu Vihar, Heerapura, Ajmer Road, Jaipur, Raj.

-----Petitioner

Versus

1. Additional Chief Secretary, Rural Development And Panchayati Raj Department, Government Secretariat, Jaipur, Rajasthan.
2. The Chief Executive Officer, Zila Parishad, Ajmer (Raj.)
3. Block Development Officer, Panchayat Samiti Ajmer (Rural), Zila Parishad Ajmer, Raj.

-----Respondents

For Petitioner(s)	:	Mr. Nikhil Saini
For Respondent(s)	:	Mr. Ashutosh Udawat, AAAG and Mr. Prateek Saxena, AAG for Mr. Kapil Prakash Mathur, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

17/10/2025

1. Mr. Ashutosh, Advocate appearing on behalf of Mr. Kapil Prakash Mathur requests for time to file reply.
2. Learned counsel for petitioner while placing reliance upon judgment in case of **State of Jharkhand & Ors. Vs. Jitendra Kumar Srivastava & Anr. (Civil Appeal No. 6770/2013, dated 14.08.2013)** passed by Hon'ble Supreme Court, **D.C. Jain Vs. State of Rajasthan 1980 WLN 241** and **Meetinder Singh Mann Vs. State of Punjab & Ors. CWP-6615-2021 (O & M)** submits that recovery order dated 09.10.2025 was issued against the petitioner and if this demanded amount is not paid as per

order, then the provisional pension of present petitioner will be withheld by the Panchayat Samiti, Ajmer Rural, Ajmer. He submits that neither any charge-sheet nor opportunity of hearing was granted to the petitioner before passing an order dated 09.10.2025 and any recovery without conducting a detailed departmental enquiry is contrary to principal of nature justice and settled law.

3. Having considered the judgments as referred hereinabove, the recovery in pursuant to order dated 09.10.2025 shall remain stayed till next date of hearing.

4. List on 24.11.2025.

(ASHOK KUMAR JAIN),J