

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16595/2025

Shubham Sharma S/o Shri Radhey Shyam Sharma
-----Petitioner

Versus

State Of Rajasthan
-----Respondent

For Petitioner(s) : Mr. Ashwinee Kumar Jaiman with
Mr. Ashish Kabra &
Mr. Moin Khan

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

06/01/2026

Learned counsel for the petitioner has submitted that without affording any opportunity of hearing and without assigning or explaining the specific role of the petitioner in the alleged adoption of unfair means or unfair practices, the service of the petitioner has been terminated after issuance of the appointment letter, which amounts to a stigmatic termination and is violative of the petitioners' fundamental rights guaranteed under Articles 14 and 19 of the Constitution of India.

It is submitted that pursuant to the notification dated 10.12.2024, recruitment to the post of Banking Assistant was initiated by the Rajasthan Cooperative Recruitment Board, Jaipur. The merit list was thereafter published on 23.06.2025 and the petitioner was duly appointed on 16.07.2025. It is further submitted that vide order dated 27.08.2025, the petitioner was alleged to have indulged in unfair means during the examination

conducted at the examination centre by IBPS, Mumbai, and on the said basis, the Board has decided to terminate the services of the petitioner.

Learned counsel has placed reliance upon the order dated 16.10.2025 passed in **S.B. Civil Writ Petition No. 16157/2025, Ashok Kumar Dhakar v. State of Rajasthan**. It is further submitted that the termination of services is not only stigmatic in nature but is also contrary to the settled principle of law that 'a person is presumed to be innocent until proven guilty'.

Heard.

Issue notice to the respondents.

Additionally, '*dasti*' service permitted.

Reply, if any, be filed within a period of four weeks.

List the matter on 10.02.2026.

In the meantime, the effect and operation of the termination order dated 27.08.2025 shall remain stayed. Howsoever, it is clarified that no rights for the petitioner shall accrue like the other candidates and his appointment shall remain subject to the outcome of the present petition.

The interim order shall remain operative only after service upon the respondent No.1-4.

(SAMEER JAIN),J