

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

S.B. Civil Writ Petition No. 16949/2025

Jakir Mohammd Qurashy S/o Mr. Ibrahim Mohammd Qurashy,
Aged About 53 Years, Teacher, Resident Of Nimbari, Jhalrapatan,
District Jhalawar (Raj.). Employee Id- Rjjw199722018144

----Petitioner

Versus

1. Principal Secretary, School Education Rajasthan, Jaipur.
2. Director, Elementary Education, Bikaner.
3. District Education Officer, Headquarter, Elementary Education, Jhalawar.
4. Inquiry Officer And Principal/ P.e.e.o., G.s.s.s. Himmatgarh, Block Sunel District District Jhalawar.

----Respondents

For Petitioner(s)	:	Mr. Jakir Mohammd Qurashy (present in person)
For Respondent(s)	:	Mr. Devansh Sharma, Dy.G.C.

HON'BLE MR. JUSTICE ANAND SHARMA

Order

09/02/2026

1. Petitioner has filed the present writ petition aggrieved by issuance of charge-sheet dated 21.04.2023 under Rule 16 of Rajasthan Civil Services (Classification, Control and Appeal) Rules 1958. Petitioner in person submits that charge-sheet has been served upon him leveling allegations of willful and unauthorized absence ignoring the fact that the petitioner has also submitted an application for granting leave without pay for the same period for which, the charge-sheet has been issued to the petitioner. Petitioner in person submits that he has also filed reply to the charge-sheet thereafter, even Enquiry Officer has also been

appointed, who is conducting the enquiry, however, pendency of charge-sheet is causing grave prejudice to the petitioner as bare perusal of the charge-sheet would not make out any misconduct whatsoever against the petitioner.

2. Learned counsel for the respondents opposed the writ petition and submits that after serving charge-sheet upon the petitioner, he filed reply to the charge-sheet, which was not found satisfactory by the Disciplinary Authority therefore, Enquiry Officer has already been appointed and he is continuously proceeding with the enquiry.

3. Learned counsel for the respondents ensures that fair and impartial enquiry against the petitioner shall be conducted strictly in accordance with law and after giving due opportunity of hearing to the petitioner.

4. In the light of above, on bare perusal of the contents of the charge-sheet and more so, when there are no allegations with regard to incompetence of the disciplinary authority, who has issued the charge-sheet to the petitioner; or no ground whatsoever has been raised to the effect that the charge-sheet is against any statutory rules, no interference at this stage can be made while exercising jurisdiction under Article 226 of the Constitution of India.

5. Hence, this writ petition is disposed of with direction to the respondents to conclude the enquiry within a period of 3 months from the date of receipt of certified copy of this order. It is also directed that the petitioner shall also cooperate during enquiry proceedings and the Enquiry Officer shall conduct enquiry after following the procedure contemplated under the Rule 16 of

the Rules of 1958 and after granting complete opportunity of hearing to the petitioner. Thereafter, in accordance with law, final order shall be passed by the Disciplinary Authority.

6. Pending application(s), if any, shall stands disposed of.

(ANAND SHARMA),J

NEERU/17