

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17764/2024

Vinod Kumar Soni Son Of Shri Rambabu Soni

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Avinash Choudhary, Mr. Harshik Tiwari & Mr. Sanjay Sharma for Dr. Vibhuti Bhushan Sharma.
For Respondent(s)	:	Mr. Shubham Sharma for Mr. Somitra Chaturvedi, Dy.G.C.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

28/03/2026

1. Learned counsel for the petitioner draws the attention of the Court to Rule 54 (2) of the Rajasthan Service Rules, 1951 while submitting that in view of the said Rule, a Government Servant, who has been fully exonerated or, in the case of suspension that was wholly unjustified, the Government servant shall be given the full pay and dearness allowance. He submits that the respondents passed an order dated 04.11.2022 (Annex.6) by which the period for which the petitioner remained under Suspension i.e. 06.09.2011 to 03.09.2015 was treated as period in service. He submits that the respondents thereafter has extended the petitioner the benefit of dearness allowance and house rent allowance, however, only mess allowance and hard duty allowance has not been extended to the petitioner. He also submits that the respondents in the reply has heavily relied upon a Circular dated

20.01.1979, indicated in the Communication dated 03.04.2021 (Annex.R/1), while arriving at a conclusion that in view of the said Circular, the petitioner is not entitled to draw mess allowance as well as hard duty allowance, however, the said circular has not been placed on record.

2. Learned counsel for the respondents prays for time to complete his instructions as well as for placing on record the Circular dated 20.01.1979. He also prays for time to complete his instructions in respect to the fact that once the said period is treated as in-service, the reason for which the petitioner has been held not entitled to draw the mess allowance and the hard duty allowance.

3. List the matter on 15.04.2026, as prayed.

(DR.NUPUR BHATI),J

21-pradeep/-