
(2020) 02 RAJ CK 0330
In the Rajasthan High Court
Case No : Civil Writ Petition No. 2556 Of 2020

Prabhu Lal Regar

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 19-02-2020

Acts Referred:

Citation : (2020) 02 RAJ CK 0330

Hon'ble Judges : Dinesh Mehta , J

Bench : Single Bench

Advocate : Sushil Solanki

Final Decision : Disposed Of

Judgement

This writ petition has been filed by the petitioner aggrieved against the order dated 24.08.2017 (Annex.-2), whereby the petitioner has been placed under suspension.

The petitioner made representation, inter alia, indicating that already challan against the petitioner has been filed and despite passage of sufficiently

long time, the petitioner has not been reinstated and, therefore, the order of suspension requires review and the petitioner deserves to be reinstated.

Learned counsel for the petitioner with reference to judgment in Manvendra Singh v. State of Raj. & Ors.: SBCW No. 4276/2018, decided on

21.12.2018 at Jaipur Bench submitted that the Court in the said judgment has dealt with the powers of the disciplinary authority under Rule 13(5) of

the Rules of 1958 and appellate authority under Rule 22 of the Rules of 1958 and has held that the various circulars issued by the State Government

laying down limitation to examine the revocation of suspension order after a period of three years from the date of suspension/after a period of one

year from the date, the charge-sheet has been filed, was not justified and it was open for the authorities to examine the case for revocation of

suspension even prior to the said periods fixed in the circular.

In the over all fact circumstances of the case as projected as well as the law laid down by this Court in the case of Manvendra Singh (supra), the writ

petition filed by the petitioner is disposed of, the respondent No.4-disciplinary authority, is directed to decide the representations made by the petitioner

(Annex.-4) in light of the judgment in the case of Manvendra Singh (supra).

The needful may be done by the respondent No.3 within a period of four weeks from the date a copy of this order is placed by the petitioner.

The petitioner would be free to file a further representation alongwith requisite documents before the disciplinary authority.