HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 449/2026
CNR: RJHC020334372026 | URN: SAW / 1022U / 2026

Brij Mohan Bairwa S/o Shri Arjun Lal, aged about 60 Years, Resident of Mohalla Jinsi, Ward No. 3, Tonk, Rajasthan.

----Appellant-Petitioner

Versus

1. Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
2. Chairman And Managing Director, RSRTC, Jaipur.

----Respondents

For Appellant(s) : Mr. Dilip Sinsinwar
For Respondent(s) :

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

17/08/2026

1. This appeal has been filed by the appellant-petitioner (hereinafter referred to as the 'appellant') challenging the judgment dated 22.01.2026 passed by learned Single Judge of this Court in S.B. Civil Writ Petition No. 6828/2005 titled as Brij Mohan Bairwa V. R.S.R.T.C. & Anr. whereby the writ petition filed by the appellant was dismissed.

2. Learned counsel for the appellant submitted that the learned Single Judge has committed error in not considering the record produced by the appellant. Therefore, prayed that the appeal may be allowed.

3. We have gone through the judgment passed by learned Single Judge, para 18 thereof reads as under:-

> "18. In the light of consistent principles laid down by the Hon'ble Supreme Court as well as by this Court in the above judgments, it is clear that the petitioner who was having 29 penalties / charge-sheets in his service record could not have been considered as useful and effective employee any longer in the respondent-Corporation. The washed off theory has been proposed by learned counsel for the petitioner, in comparison to the adversities / penalties in the record of the petitioner, cannot be sustained and the order of compulsory retirement cannot be quashed on the ground that against 29 penalties / charge-sheets, there was an order of grant of selection grade to the petitioner."

4. We are in complete agreement with the judgment passed by learned Single Judge. It is a case of compulsory retirement of the employee by the department and the learned Single Judge while passing the impugned judgment has rightly observed that the petitioner was having 29 penalties / charge-sheets in his service record and therefore he was compulsorily retired from the service. In our considered view, no case is made out to interfere with the impugned judgment passed by learned Single Judge.

5. Consequently, the appeal filed by the appellant is hereby dismissed.

6. Pending application, if any, also stands disposed of.

(SANDEEP TANEJA),J (INDERJEET SINGH),J

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