HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 14150/2026
CNR: RJHC010648762026 | URN: CW / 25836U / 2026

Ramesh Chandra Suthar S/o Vardi Chand, Aged About 49 Years, R/o Raythiliya Tehsil Sahada Dist. Bhilwara Raj.

----Petitioner

Versus

1. State Of Rajasthan, Through Its Secretary Rural Development And Panchayati Raj Dept. Govt. Secretariat Raj. Jaipur
2. The Director, Rural Development And Panchayati Raj Dept. Govt. Secretariat Raj. Jaipur
3. The District Collector, Bhilwara
4. The Chief Executive Officer, Zila Parishad Bhilwara
5. The Development Officer, Panchayat Samiti Sahada Dist. Bhilwara

----Respondents

For Petitioner(s) : Mr. Pawan Singh Rathore
For Respondent(s) : -

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

06/08/2026

1. Though, notices sent to the respondents are awaited, at the request of learned counsel for the petitioner, the writ petition is heard finally.

2. Grievance of the petitioner, a Village Development Officer, arises out of an order dated 25.06.2026 (Annex.3), vide which his service has been put under the suspension.

3. At the very outset, on a Court query, counsel for the petitioner informs that vide charge sheet dated 25.06.2026, a

decision to initiate disciplinary proceedings under Rule 16 of CCA Rules, 1958 was taken and thereafter on 25.06.2026 vide the impugned suspension order, petitioner was suspended from service.

4. In this context, reference may be had to a judgment rendered by this Court in the case titled ***Naresh Singh Vs. State of Rajasthan & Ors. : SBCWP No. 1788/2024***, relevant portion of which is hereinbelow:-

> *"36. Before parting, it is deemed appropriate that following guidelines are framed to be followed by Competent Authorities / Head of Departments of State in those cases where suspension orders are warranted either in contemplation or pending departmental proceedings:-*
>
> ***GUIDELINES***
>
> ***(a). Purpose of Suspension:*** *Suspension is not meant as punishment but serves to protect evidence, prevent witness influence, and ensure smooth disciplinary proceedings. It should only be used when absolutely necessary.*
>
> ***(b). Discretionary Yet Severe:*** *While suspension is neither described nor prescribed as a punitive measure, it has serious repercussions, affecting an employee's morale, reputation, and financial stability. It also imposes a financial burden on the government.*
>
> ***(c). Prudent Exercise of Authority:*** *Authorities must act with utmost caution, considering all relevant facts before suspending an employee. The decision should be justified by the need to protect evidence and witnesses.*
>
> ***(d). Timely Disciplinary Action:*** *If an employee is suspended in contemplation of disciplinary proceedings, those proceedings must begin immediately after suspension and be concluded promptly.*
>
> ***(e). Defined Timelines:*** *Specific deadlines should be set for each stage of disciplinary proceedings, including as below:*
>
> ***i. Initiation*** *– Issuance of charge sheet or show cause notice.*
>
> ***ii. Response*** *– Submission of the employee's reply.*
>
> ***iii. Decision*** *– Review of the reply and determination of further action.*
>
> ***iv. Inquiry*** *– If necessary, initiation and conclusion of a departmental inquiry. v. Resolution – Submission and review of the inquiry report, followed by a final decision by Disciplinary Authority.*
>
> ***(f). Monitoring & Compliance:*** *A mechanism should be established to ensure adherence to these timelines, with periodic reviews and remedial actions, including penalties for defaulters or revocation of unnecessary suspensions. 37. I may also like to make it clear that the aforesaid guidelines are only in those cases where disciplinary proceedings are either pending or*

contemplated and exclude all those cases of suspension which are owing to either arrest in a criminal proceedings or pending any criminal investigation and / or criminal trial before a competent Court.

38. Apart from the guidelines, supra, it is deemed appropriate that this Court exercises its writ jurisdiction to issue a writ of mandamus to State of Rajasthan through Secretary Personnel to ensure that all the competent authorities who have been vested with the power to suspend a Government servant to adhere to a reasonable time limit to take further action after suspension order is passed. It is, therefore, directed that where there are no criminal proceedings pending, but a Government servant is suspended in contemplation of departmental proceedings, forthwith steps shall be taken for initiation of disciplinary proceedings by issuance of charge sheet or show-cause notice as the case may be, but the same shall not be later than 30 days with effect from the date of suspension order. In case charge sheet cannot be issued, then one extension of another 30 days shall be permissible provided reasons in writing be recorded and conveyed to the suspended Government servant.

39. The consequence of non-adherence to the 30 days' time-limit or 60 days, as the case may be, shall necessarily lead to an indefeasible right to seek revocation of the suspension order at the instance of the suspended Government servant upon his approaching the suspending authority or by way of filing an appeal under Rule 22.

40. Just as the mandate of timeline to issue charge sheet is to be followed by the suspending / disciplinary authority, likewise upon a Government servant approaching the appellant authority under Rule 22, it shall be incumbent on the appellant authority to dispose of the appeal either way within a period of 30 days of its being received in the office of appellant authority. In case the appeal cannot be disposed of within a period of 30 days, reasons in writing be recorded and conveyed to the suspended Government servant.

41. It is directed that the Government of Rajasthan, i.e. through The Secretary Personnel, shall take appropriate steps to sensitize the concerned authorities of State Government in this behalf and also convey the aforesaid mandamus as well as Guidelines to them for compliance. Registry of this Court is directed to e-mail a copy of the instant order/judgment to the Chief Secretary as well as The Secretary Personnel of the State.

CONCLUSION

42. To sum up, though at the cost of repetition, suspension during disciplinary proceedings is intended not as punishment but as a necessary measure to preserve critical evidence and prevent any undue influence over witnesses, thereby ensuring a swift and efficient process. Although not a punitive action under the Service Rules, suspension is a drastic discretionary power that can significantly harm an employee's morale, reputation, and financial stability, while also imposing an unnecessary fiscal burden on the government. Therefore, authorities must exercise the utmost care and objectivity when deciding to suspend, ensuring that disciplinary proceedings commence immediately and are expedited, with the State Government providing clear guidelines to uphold these principles. If an employee is

suspended in contemplation of disciplinary proceedings, then the further proceedings against him should be initiated immediately after suspension. Once the disciplinary proceedings commence-contemplated or pending, the same should be proceeded with the necessary urgency and concluded as early as possible. The State Government should issue appropriate instructions to the concerned authorities to bear in mind these parameters, while suspending an employee."

5. In view of the aforesaid, the Disciplinary Authority, under Rule 13(5) of the CCA Rules, is directed to take a decision on the further continuation of the suspension in accordance with the judgment, ibid. Likewise, the petitioner shall also be at liberty to challenge his suspension order before the Appellate Authority under Rule 22 of the CCA Rules, 1958, in case a favourable decision is not passed. All issues raised by the petitioner, including the administrative competence of the authority which has passed the impugned suspension order, are left open to be looked into by the competent / appellate authority, as the case may be. The decision by the Disciplinary Authority shall be taken within a period of 30 days of the petitioner approaching him with the web print of the instant order.

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

(MUKESH RAJPUROHIT),J

50/Ramesh Goyal