



HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3827/2026

Sharvan Lal Khorwal S/o C.I. Khorwal

----Petitioner

Versus

The State Of Rajasthan

----Respondent



For Petitioner(s)	:	Mr. Yuvraj Samant
For Respondent(s)	:	Mr. Manoj Sharma, AAG with Ms. Pooja Sharma and Mr. Vishwas Fatehpuria Mr. Rakesh Kumar Fatehpuria, Registrar (RCSAT)

HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

17/04/2026

1. Learned Additional Advocate General, Mr. Manoj Sharma seeks time to file reply to the writ petition as a serious issue has been raised by the petitioner with regard to the working of the Rajasthan Civil Services Appellate Tribunal (hereinafter to be referred as '**RCSAT**' for short).
2. Four weeks' time is granted to file reply.
3. The affidavit filed by the Registrar-RCSAT dated 27.03.2026 is not satisfactory as he has tried to shift the burden on the clerk who according to him wrongly recorded the grant of stay in the appeal, in the cause list.
4. This Court finds this justification highly unreasonable and false on the face of the record. The concerned clerk who committed this mistake has not been named in the affidavit,



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therefore, the justification does not appears to be correct and satisfactory.

5. Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur is directed to conduct an enquiry into this issue, specifically considering the affidavit that has been filed by the Registrar before this Court. In case, the conduct of Registrar is found to be otherwise, as informed to this Court, necessary disciplinary action be taken against him and the concerned clerk, who has not been named in the affidavit. The concerned Secretary is directed to find out as to whether the clerk is at all involved in the case or he has been named as a scapegoat only. The enquiry report along with the reply be filed by the learned Additional Advocate General on the next date of hearing.

6. List this matter on 18.05.2026.

(RAVI CHIRANIA),J

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HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3827/2026

Sharvan Lal Khorwal S/o C.L. Khorwal, Aged About 40 Years, R/o
Village - Shankshyopuri Post - Phaliyawas Vaya - Kanota Jaipur,
Rajasthan -303012

-----Petitioner

Versus

1. The State of Rajasthan, Through The Additional Chief Secretary, Department Of Education, Secretariat, Jaipur-302001.
2. Director, Department Of Secondary Education, Government Of Rajasthan, Bikaner - 334001.
3. Secretary, Department Of Personnel, Government Of Rajasthan, Secretariat, Jaipur - 302001.

-----Respondents

For Petitioner(s)	:	Mr. Yuvraj Samant
For Respondent(s)	:	Mr. Manoj Sharma, AAG assisted by Ms. Pooja Dixit

HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

09/04/2026

1. The co-ordinate Bench of this Court vide order dated 06.03.2026, considering the grievance as raised by the petitioner, directed Registrar, Rajasthan Civil Services Appellate Tribunal (hereinafter referred to as '**learned Tribunal**' for short), Jaipur, to file a specific affidavit with regard to the facts stated by learned counsel for the petitioner in the present writ petition which appears to be serious in nature.
2. In compliance of the order dated 06.03.2026, Registrar filed an affidavit dated 27.03.2026 on behalf of the learned Tribunal



and forwarded the same to the Registrar (Judicial) by letter dated 27.03.2026.

3. This Court perused the affidavit as filed by the Registrar of learned Tribunal. After going through the same and perusing the facts as stated by learned counsel for the petitioner in the writ petition and the order passed by the co-ordinate Bench dated 06.03.2026, this Court noted that the affidavit is not justified, as the facts as stated in the affidavit are not satisfactory.

4. As far as the grievance raised by learned counsel for the petitioner is concerned, he was initially appointed in the Department at the post the of Senior Teacher-Grade-II and posted in District Udaipur, however, the respondents transferred him from Udaipur to Ajmer in the year 2015 by order dated 20.07.2015.

5. Learned counsel submitted that the transfer was made by the respondent-Department due to administrative exigency and no request was made by the petitioner to the respondents, thereafter the respondents conducted DPC in the year 2016-17 and promoted the petitioner vide order dated 16.07.2016 for the post of Lecturer against the vacancies of the year 2015-16. In pursuance to which, he immediately joined on the promoted post with the respondent-Department. The respondents further conducted the DPC to the post of Vice Principal and issued an order dated 17.06.2025 reverting the petitioner to the post from which he was promoted in the year 2016.

6. Learned counsel submits that in the order dated 17.06.2025, instead of promoting the petitioner on the post of Vice Principal, they have reverted him to his previous post and the promotion



made by the respondents in the year 2016 has been cancelled without providing any opportunity of hearing to him.

7. This Court, after considering the facts as argued, finds that change of region was not on the request of the petitioner, rather it was done by the respondent-Department, therefore the issue of seniority taken as a ground by the respondents for cancelling the promotion made in the year 2016, prima-facie appears to be unjustified as the same was done without providing any opportunity of hearing. Learned Tribunal, while examining the appeal passed the impugned order dated 08.08.2025 without considering the same fact.

8. While considering the impugned order dated 08.08.2025, this Court has also considered the seriousness of the facts as stated by learned counsel for the petitioner in the writ petition and the same was noted by the co-ordinate Bench of this Court while passing the order dated 06.03.2026.

9. Considering the overall facts and circumstances of the case, this Court deems it appropriate to stay the operation of the order dated 17.06.2025 qua the present petitioner during pendency of the writ petition.

10. In the meantime, learned counsel for the respondent-State shall file a reply to the writ petition treating it to be a case of serious nature.

11. Considering the affidavit filed by the Registrar of the learned Tribunal, this Court directs the Registrar to remain present before this Court on the next date of hearing.

12. List the matter on 16.04.2026.



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13. Registrar (Judicial) is directed to send a copy of this order to Registrar, Rajasthan Civil Services Appellate Tribunal, Jaipur.

(RAVI CHIRANIA),J

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

S.B. Civil Writ Petition No. 3827/2026

Sharvan Lal Khorwal S/o C.I. Khorwal

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Yuvraj Samant
For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

06/03/2026

Learned counsel for the petitioner submits that vide order dated 16.07.2016 issued by the Director, Secondary Education, Bikaner, Rajasthan, the petitioner was promoted on the post of Lecturer against the vacancies of the year 2015-16. Pursuant to aforesaid order dated 16.07.2016, the petitioner joined on the post of Lecturer and was continuing till order dated 17.06.2025 was passed whereby, Government by abruptly reviewing DPC in relation to selection year 2023-24 and 2024-25, earlier promotion of the petitioner on the post of Lecturer was cancelled. Feeling aggrieved by order dated 17.06.2025, the petitioner filed appeal No. 3109/2025 before Rajasthan Civil Services Appellate Tribunal, Jaipur.

Learned counsel submits that the appeal was filed on 17.06.2025 however, on number of occasions, it did not reach for hearing and ultimately the matter was heard on admission as well as on stay application on 15.07.2025. In open Court, the Tribunal issued notices and pronounced stay order in favour of the



petitioner by staying operation of order dated 17.06.2025. On the official website of Civil Services Appellate Tribunal, Jaipur also it was reflected that stay was granted on 15.07.2025. However, certified copy of order of stay was not made available and later on the petitioner was in shocked to learn that instead of showing any order of 15.07.2025 on the file, one different order dated 08.08.2025 has been recorded on the file, whereas on 08.08.2025 the appeal was never listed before the Tribunal. As per alleged order dated 08.08.2025, simply notices were issued and so far as stay is concerned, the request was declined by the Tribunal. In memo of writ petition, following facts have been stated by the petitioner on oath.

"18. That the matter finally came on board on 15.07.2025. When the matter was heard, the learned Appellate Tribunal was pleased to allow the stay application after hearing the arguments at length and stayed effect of the impugned order by passing oral orders in the open Court, which was made before the Lawyers as well as parties. Proof of which showcasing status of the case was also depicted on the website of the Ld. Appellate Tribunal. A copy of Screenshot of website of the Ld. Appellate Tribunal depicting the status of the case and the stay dated 15.07.2025 is annexed herewith and marks as Annexure-11.

A copy of the causelist of the Ld. Tribunal for 15.07.2025 is herewith annexed and marks as Annexure-12.

19. That to the shock and amazement of the petitioner, Ld. Appellate Tribunal vide order dated 08.08.2025 issued notices to the respondents and refused to grant any stay order, without hearing the opposite party, which was in complete contradiction to the order dictated in open Court by the Tribunal.

A copy of the cause-list of the Ld. RAT dated 08.08.2025 is herewith annexed and marks as Annexure-13.

20. That it is evidence from the instant order that the order has been passed in a back date as well as order has been passed on a date which the matter was not even listed in the Court for hearing, thus, behind the back of the petitioner, such an order has been passed completely in illegal and malicious manner. The impugned order is further vitiated by malice in law as well as malice in fact



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by the Ld. Tribunal, therefore, same is liable to be quashed and set-aside. "

In view of above, the matter requires consideration.

Issue notices to the respondents, returnable by three weeks.

Looking to the seriousness of the allegations, which reflects upon the functioning of the Tribunal, this Court deems it just and proper to issue notice to the Registrar of Rajasthan Civil Services Appellate Tribunal, Jaipur with directions to file an affidavit in order to explain the functioning of the Tribunal in the light of allegations leveled by the petitioner.

Registrar Judicial is directed to send copy of this order to the Registrar, Rajasthan Civil Services Appellate Tribunal, Jaipur.

List this matter on 6th April, 2026.

(ANAND SHARMA),J

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