

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

JAIPUR BENCH, JAIPUR

ORDER

SB Civil Writ Petition No.15046/2012

Dharmendra Kumar versus State of Rajasthan & ors

28.9.2012

HON'BLE MR. JUSTICE MN BHANDARI

Mr SS Naruka – for petitioner

BY THE COURT:

By this writ petition, order of suspension has been challenged.

It is stated that the order of suspension has been passed mala fide. Petitioner had lodged a complaint against the Superintendent of Police. The order of suspension has been passed against petitioner only, whereas, three police officials have been implicated in complaint No.22/2012 thus action of the respondents in suspending the petitioner is discriminatory in nature. The petitioner has filed an appeal dated 13.2.2012 at annexure-6 to the appellate authority, however, it has not been decided.

I have considered submissions of learned counsel and perused the record. Petitioner has already filed an appeal against

the order of suspension taking all the issues as have been raised herein thus, simultaneously, writ petition is not maintainable.

In view of aforesaid, writ petition is disposed of with direction to the appellate authority to consider and decide the appeal preferred by the petitioner within a period of two months from the date of receipt of copy of this order. All the issues aforesaid may be considered by the appellate authority. In case of adverse order, it may be conveyed to the petitioner by a speaking order.

(MN BHANDARI), J.

bnsharma

All corrections made in the judgment/ order have been incorporated in the judgment/ order being emailed.

(BN Sharma)
PS-cum-JW