

ITEM NO.1 Court 6 (Video Conferencing) SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 8932/2021

(Arising out of impugned final judgment and order dated 28-06-2021 in DBCWP No. 6485/2021 passed by the High Court Of Judicature For Rajasthan At Jaipur)

SOMYA GURJAR Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ORS. Respondent(s)

(FOR ADMISSION and I.R.[FOR DIRECTIONS])

Date : 01-02-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Aman Jha, Adv.
Mr. Rishi Tutu, Adv.
Mr. Gaurav Praksh Jha, Adv.
Ms. Ruchi Kohli, AOR

For Respondent(s) Dr. Manish Singhvi, Sr. Adv.
Mr. Arpit Parkash, Adv.
Mr. Sandeep Kumar Jha, AOR

UPON hearing the counsel the Court made the following
O R D E R

Additional affidavit filed by the respondents is taken on record.

The incident is of 04.06.2021. In view of the nature of the incident and the action taken, we did not consider appropriate to grant interim relief but had endeavoured to monitor the progress. The

officer concerned was appointed on 05.06.2021. We are now almost eight months hence.

We are informed by learned counsel for the petitioner that now an application has been filed by the respondent-State on 28.12.2021 seeking to club the two inquiries, on which order is recorded on 31.12.2021 that the final hearing will take place together.

We had vide our order dated 16.07.2021 itself noticed that the allegation against the petitioner as a Mayor was of using improper language. It has been contended by learned counsel for the petitioner that the position of the petitioner was stated to be different from other Corporators present where the allegation was of scuffle and scramble and pushing of the officer by those Corporators.

We are also informed that while recording of the evidence is complete in the case of the petitioner, in respect of others, evidence of eight more witnesses has to be recorded. We do not appreciate the endeavour of the State at this stage to have sought clubbing of the two matters and though learned counsel for the State now submits that they will withdraw the application, the fact is that the Commission has kept the application pending but directed final hearing together and we would not like to interfere with those proceedings.

We are thus of the view that in the given facts of the case and considering the role of the petitioner, it is appropriate that the suspension order qua the petitioner be kept in abeyance till conclusion of the inquiry and will abide by the decision of the inquiry.

List after the inquiry report is received and filed before the Court.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)