



RAJASTHAN HIGH COURT
HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Writ Petition No. 10174/2022

Rajasthan High Court Advocates Association

----Petitioner

Versus

The State Of Rajasthan

----Respondent

For Petitioner(s) : Mr. Anil Kumar Bhandari
For Respondent(s) : Mr. Rajesh Panwar, AAG with
Mr. Ayush Gehlot
Mr. Chayan Bothra
Ms. Salochana Bishnoi for
Mr. B.L. Bhati, AAG

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

18/03/2026

1. Heard learned counsel for the parties.
2. The matter comes upon an application (I.A. No.01/26) filed by the petitioner for allowing the Presidents of the Members of the State Consumer Commission/District Consumer Commission to continue to hold the office till further orders or till fresh appointments are made.
3. Learned counsel for the petitioner submits that in the identical situation the Co-ordinate Bench of this court in ***DB Civil Writ Petition No. 4191/2026 (Jayshree Sharma Vs. State of Rajasthan & Ors.)*** passed an interim order dated 07.03.2026, while relying upon the order passed by the Hon'ble Supreme Court in the case of ***Urmila Verma Vs. State of Rajasthan & Anr.*** arising out of ***SLP(C) No.36217/2025.***
4. The order dated 07.03.2026 is as under:-



"2. The petitioner is present in person. She submits that the rules as directed by the Hon'ble Supreme Court in the case of Ganeshkumar Rajeshwarrao Selukar & Ors. Vs Mahendra Bhaskar Limaye & Ors.: (2025)8 SCC 634 have yet to be framed by the State Government and new recruitment process is yet to commence. While the said aspect is pending with the State Government. The tenure of the petitioner ends on 09.03 2026.

3. She has invited our attention to the observations made by the Hon'ble Supreme Court in summary and reliefs which state as under:

	Category of persons	Relief
1.	Persons appointed as Members of the State Commission and Presidents and Members of the District Commission in the State of Maharashtra, vide Order dated 5-10-2023 pursuant to the written examination and viva voce.	They shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.
2.	Persons seeking reappointment in the State of Maharashtra, after their services had been terminated vide Order dated 6-10-2023.	They can be considered for reappointment in the State and District Commissions, based on the new rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while non-judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce. The writ petitions pending before the High Court of Bombay challenging the said termination Order of the State of Maharashtra dated 6-10-2023, will have to be decided in





		terms of this judgment and larger principles of law.
3.	Presidents and Members of the State and District Commissions who have been appointed and serving prior to Limaye (1).	They shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.
4.	Presidents of the State and District Commissions, and the Judicial Members of the State Commission, in other States, with/ without having given the written examination followed by a viva voce.	a) Those who are appointed serving shall be allowed to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process. (b) Those who have been selected, but not appointed, on account of the States concerned having stayed the appointment process during the pendency of these appeals, shall be appointed to the respective post, and shall be allowed to continue in office till the entirety of their tenure.
5.	Persons who are selected to the posts of non-judicial Members of the State Commission and Members of the District Commission, without having undergone a written examination followed by a viva voce.	(a) If already appointed and serving: (i) In case the selection process had been completed prior to the decision of this Court in Limaye (1) ¹⁷ , such persons shall be entitled to complete their tenure in entirety. In the event of their tenure ending before the completion of the recruitment process under the new rules to be





		<p>notified, their appointment shall be allowed to continue until the completion of the said recruitment process.</p> <p>(ii) In case the selection process has been completed post the decision of this Court in Limaye (1)17, such persons shall be entitled to continue in their respective posts till the completion of the recruitment process under the new rules to be notified.</p> <p>(b) If selected but not appointed, such persons shall not be entitled to be appointed.</p>
6.	Non-judicial Members of the State Commission and the Members of the District Commission, who have given the written examination and viva voce.	<p>(a) If already appointed and serving, they shall be allowed to continue in service for the entirety of their tenure. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.</p> <p>(b) If selected, but not appointed, on account of the State having stayed the appointment process during the pendency of these appeals, such persons shall be appointed to the respective posts, and shall be allowed to continue in office for the entirety of their tenure.</p>
7.	Persons seeking reappointment in other States after termination of their services.	They can be considered for reappointment in the State and District Commissions, based on the new rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the



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		State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while non-judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce.
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4. She has also invited our attention to the order passed by the Supreme Court in similar case of Urmila Verma Vs. State of Rajasthan & Anr.: arising out of SLP(C) No.36217/2025, decided on 19.01.2026 whereby the Supreme Court passed the following order:

- "1. Leave granted.
2. This appeal has been filed against an interim order dated 28.11.2025 passed by the High Court of Judicature for Rajasthan, declining interim protection to the appellant to continue as Member (Judicial) of the State Consumer Disputes Redressal Commission, notwithstanding the judgment of this Court in Ganeshkumar Rajeshwarrao Selukar Vs. Mahendra Bhaskar Limaye, 2025 SCC Online SC1193.
3. After hearing learned counsel for the parties, as an interim measure, we deem it appropriate to direct that the appellant be reemployed as a Member (Judicial) of the State Consumer Disputes Redressal Commission forthwith. Ordered Accordingly.
4. It is further clarified that the appellant upon reappointment shall be deemed to be continued uninterruptedly with effect from 01.12.2025 till the fresh recruitment is made and/or the rules are suitably amended by the State Government in consultation with the High Court. The remaining issues will be examined by the High Court in the pending writ petition.
5. The civil appeal is, accordingly, disposed of."
5. Having noticed the aforesaid orders passed by the Supreme Court, we are inclined to pass an interim order in favour of the petitioner and direct that the petitioner shall be allowed to continue on the post uninterruptedly till, the fresh recruitment is made after the rules are suitably amended. The petitioner shall not be relieved from her office from 09.03.2026.
6. Issue notice to the respondents, returnable within a period of four weeks.
7. Misc. Application No.01/2026 stands disposed of."

5. Learned Additional Advocate General is not in a position to refute the submissions made by the learned counsel for the petitioner.



6. Since the tenure of the Presidents/Members of the State Consumer Commission/District Consumer Commission in the State of Rajasthan is coming to an end and/or has ended, but no fresh appointments have been made so far, therefore, we deem it appropriate to allow all such officers to continue on the posts they were holding uninterruptedly till the fresh recruitment is made after the rules are suitably amended. The officers, who have been relieved shall be re-employed forthwith and those who are in the process of being relieved, they shall not be relieved until further orders.

6. Accordingly, the application is disposed of.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J

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