

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

Civil Appeal No(s). /2026  
@ Petition(s) for Special Leave to Appeal (C) No(s).30475/2026

**DEEN DAYAL SHARMA**

**Appellant(s)**

**VERSUS**

**ROOPRAJ PRAJAPAT & ORS.**

**Respondent(s)**

**O R D E R**

1. Leave granted.
2. Heard learned counsel for the appellant.
3. Having regard to the nature of the order that we propose to pass, we do not deem it necessary to issue notice to the respondents.
4. The appellant is aggrieved by an order of the Rajasthan High Court dated 02.07.2026 passed in writ petition (i.e., DBCWP No. 16856/2019) whereby, on ground of failure to remove certain encroachments, the appellant amongst others have been directed to be placed under suspension till conclusion of disciplinary inquiry against them.

5. As the impugned direction is found in an interim order which has been passed for non-compliance of directions of the High Court to remove encroachments, we decline to interfere with the order insofar as it directs holding a disciplinary inquiry.
6. However, the direction to the Revenue Secretary to place those officers under suspension till departmental proceedings are concluded is not justified because the culpability of those officers would have to be examined and determined by the disciplinary authority based on materials available against them.
7. In our view, the High Court ought to have left it for the disciplinary authority to take such appropriate action against them as it may be considered necessary, particularly, when those officers/ employees are yet to be either charged or punished for contempt of High Court's order. We, therefore, deem it appropriate to expunge paragraph 5 in the impugned order whereby the officers/ employees concerned have been directed to be placed under suspension pending conclusion of disciplinary enquiry.
8. Consequently, this appeal is disposed of by expunging

that part of the direction as is found in paragraph 5 of the impugned order dated 02.07.2026.

9. However, we make it clear that if the disciplinary authority is of the opinion that any of those persons are negligent in performance of their duties, it shall be open for the disciplinary authority to take such appropriate action against them, including suspension pending inquiry, as it may deem appropriate on the basis of their conduct.
10. In case the appellant has already been suspended pursuant to the direction in paragraph 5 of the impugned order, the disciplinary authority shall review the order of suspension and if in its opinion no material is found against him, it may recall the same subject to final orders in the proceedings pending before the High Court.
11. The appeal as well as all pending applications shall stand disposed of in the aforesaid terms.

..... J  
[MANOJ MISRA]

..... J  
[VIJAY BISHNOI]

New Delhi;  
September 02, 2026

ITEM NO.25

COURT NO.10

SECTION XV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). /2026

@ Petition(s) for Special Leave to Appeal (C) No(s).30475/2026

[Arising out of impugned final judgment and order dated 02-07-2026 in DBCWP No. 16856/2019 passed by the High Court of Judicature for Rajasthan at Jaipur]

DEEN DAYAL SHARMA

Petitioner(s)

VERSUS

ROOPRAJ PRAJAPAT & ORS.

Respondent(s)

IA No. 257087/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 257090/2026 - EXEMPTION FROM FILING O.T.

IA No. 257084/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 02-09-2026 This matter was called on for hearing today.

CORAM HON'BLE MR. JUSTICE MANOJ MISRA  
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) Mr. Ronak Karanpuria, AOR  
Mr. Rohit Gautam, Adv.  
Ms. Khusbhoo Sinha, Adv.  
Mr. Gyan Prakash Pandey, Adv.  
Ms. Deepshikha Mathur, Adv.

Mr. Roman Khan, Adv.

Mr. Owais Khan, Adv.

For Respondent(s)

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

1. Leave granted.
2. The appeal as well as all pending applications shall stand disposed of in terms of the signed order placed on the file.

(CHETAN ARORA)  
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)  
COURT MASTER (NSH)