IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 6th OF AUGUST, 2025

WRIT PETITION No. 31142 of 2025

JALAM SINGH TOMAR

Versus

THE STATE OF MADHYA PRADESH THROUGH PRINCIPAL SECRETARY TO THE GOVERNMENT OF MADHYA PRADESH AND OTHERS

Appearance:

Shri L. C. Patne - Advocate for the petitioner.

Shri Kushagra Jain - Dy.GA for State.

ORDER

The petitioner who is working as secretary of Gram Panchayat, Barkhedi Bazar, Janpad Panchayat Mahidpur has filed the present petition challenging the order of suspension dated 11/7/2025 passed by Chief Executive Officer, Jila Panchayat, Ujjain by which the petitioner has been placed under suspension and his headquarters has been fixed in Janpad Panchayat, Mahidpur.

Counsel for the petitioner argued that the petitioner was transferred by order dated 17/6/2025 by Chief Executive Officer, Jila Panchayat, Ujjain, from Gram Panchayat, Barkhedi Bazar, Janpad Panchayat, Mahidpur to Gram Panchayat Badarkhaberasia, Janpad Panchayat Ujjain, District Ujjain. He challenged the said order before this Court in W.P No.21857/2025 on the ground that he was subjected to frequent transfers. The said petition was disposed of by this Court with a direction to the petitioner to submit a representation before the Chief Executive Officer/respondent No.2 within period of 7 days and the said authority was directed to decide the representation within period of 4 weeks from the date of

filing of the same by passing a reasoned and speaking order after affording opportunity of hearing to the petitioner.

By the interim measure, it was directed that till the representation is decided, the petitioner be allowed to work at present place of posting if no-one is posted in his place.

Counsel for the petitioner argued that in compliance to the said order, he submitted representation before the said authority. But the said authority, instead of deciding his representation has passed the impugned order of suspension in respect of lapses which occurred prior to passing of order by this Court. The order of suspension is passed to circumvent the stay order passed by this Court.

Considering the aforesaid submissions, this Court finds prima facie case in favour of the petitioner.

Issue notice to the respondents on payment of P.F within 7 working days by registered AD with due acknowledgment, returnable within 4 weeks failing which the petition shall stand dismissed without reference to the Court.

As an interim measure, it is directed that the operation of the impugned order dated 11/7/2025 shall remain stayed and the petitioner be allowed to work at present place of posting.

(VIJAY KUMAR SHUKLA)
JUDGE

VM