RAJASTHAN HIGH COURT
सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

D.B. Civil Writ Petition No. 10174/2022
CNR: RJHC010468152022 | URN: CW / 20835U / 2022

Rajasthan High Court Advocates Association

----Petitioner

Versus

The State Of Rajasthan

----Respondent

Rajasthan High Court
सत्यमेव जयते
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For Petitioner(s)	:	Mr. Anil Kumar Bhandari Mr. D.S. Udawat, Mr. Sheetal Kumbhat and Mr. Arun Jhajharia for RHCLA
For Respondent(s)	:	Mr. Rajesh Panwar, AAG with Mr. Ayush Gehlot

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

Order

03/11/2026

A second modification application has been filed for clarification of order dated 18.03.2026 particularly paragraph No.6 of the order.

2. We make it clear that the superannuation age provided in the Rule 10 of the Consumer Protection (Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of the President and members of the State Commission and District Commission) Rules, 2020, is required to be adhered to while implementing the directions issued by this Court and the Hon’ble Supreme Court, as the intention of this Court was not to grant benefits to the Members and President of the District Consumer Commission and State Consumer Commission *dehors* the law and therefore, the State Government is directed to pass appropriate orders strictly keeping in mind the mandate of law governing the field.

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3. It is made clear that if any disciplinary/administration action is pending or in process against any Member, then the respondent-State will be free to take action in accordance with law and they shall not be continued in the garb of the order passed by this Court.

4. Learned counsel for the petitioner has brought to our notice that on 05.08.2026, the State government was directed for taking steps to appoint Administrative Member in the Rajasthan Civil Services Appellate Tribunal at Jodhpur. Thereafter, on 09.09.2026 and 17.09.2026, again this Court has passed the orders for appointment of Administrative Member in Rajasthan Civil Services Appellate Tribunal at Jodhpur. Despite the continuous orders for appointment of Administrative Member, the Administrative Member has not been appointed by the State Government till date. Learned counsel submits that the service matters pending in the Tribunal are getting piled up in the absence of Administrative Member as Tribunal is virtually non-functional.

5. In these circumstances, the respondents are directed to appoint Administrative Member in Rajasthan Civil Services Appellate Tribunal at Jodhpur on or before 30.11.2026 failing which Chief Secretary of Rajasthan/Additional Chief Secretary, Department of Personnel (DoP) shall remain present before this Court on the next date of hearing.

6. List the matter on 03.12.2026.

(CHANDRA SHEKHAR SHARMA),J (VINIT KUMAR MATHUR),J

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