

ITEM NO.17

COURT NO.1

SECTION X

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

Writ Petition(s)(Civil) No(s).1230/2025

RAJARAM BHARTIYA

Petitioner(s)

VERSUS

THE HIGH COURT OF MADHYA PRADESH & ANR.

Respondent(s)

(IA No. 321577/2025 - EXEMPTION FROM FILING O.T., IA No.325479/2025
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA
No.321573/2025 - STAY APPLICATION)

Date : 17-12-2025 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Vipin Sanghi, Sr. Adv.
Mr. Sarvam Ritam Khare, AOR
Ms. Shweta Chaurasia, Adv.
Mr. Anuj Agarwal, Adv.
Mr. Akarsh Khare, Adv.

For Respondent(s) :

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

1. The petitioner is a Member of the Madhya Pradesh Higher Judicial Services. He initially joined as a Civil Judge Class-II in 1994. Subsequently, he was promoted to the post of Additional District Judge in 2009 and, in 2022, he was promoted to the post of Principal District Judge. The petitioner would have retired on attaining the age of superannuation on 30.11.2025, but for two intervening circumstances, i.e., (i) that this Court vide an order

dated 20.11.2025 passed in W.P.(C) No.986/2025 directed the State of Madhya Pradesh to enhance the age of retirement of Judicial Officers to at least 61 years on the premise that the age for retirement for the other Government employees has been enhanced to 62 years. Given the effect of that order, the petitioner would now retire on attaining superannuation in November 2026; and (ii) the order of suspension passed in 19.11.2025, which, *inter alia*, recites that the petitioner has been placed under suspension with immediate effect and his Headquarters have also been changed to prevent the possibility of tampering with the evidence and witnesses and to ensure a free and fair enquiry.

2. The petitioner is said to have submitted applications under the Right to Information Act, 2005 to uncover the reason for his suspension. Adopting such a recourse is completely unheard of and is not expected from an officer with his experience. He ought to have submitted a representation to the competent Authority against the order of suspension, as that would have enabled the High Court either to convey the reason of suspension and/or to formally initiate the disciplinary proceedings as contemplated in the suspension order itself.

3. While we do not see any valid ground to interfere with the order of suspension at this stage, we grant liberty to the petitioner to submit a comprehensive representation to the High Court to seek recall of the order of suspension and/or seek any other relief as per the rules. Let the High Court take an appropriate decision on that representation as early as possible, but not later than four weeks.

4. The Writ Petition is disposed of with liberty aforesaid.
5. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR