

**State of Rajasthan and anr. Vs. J.K. Panth and ors.**

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**Court :** Rajasthan

**Decided On :** Mar-08-1994

**Reported in :** 1994(1)WLN449

**Judge :** Milap Chandra Jain and; Rajendra Saxena, JJ.

**Appeal No. :** D.B. Civil Special Appeal Nos. 637 and 652 of 1993

**Appellant :** State of Rajasthan and anr.

**Respondent :** J.K. Panth and ors.

**Disposition :** Appeal dismissed

**Judgement :**

ORDER

S. Admittedly, no notice was served upon either of them under Rule 6 of the Rules terminating the appointment. It is also not mentioned in the subsequent order Annex.-7 appointing new Advocates as Deputy Government Advocates that the appointment of the petitioner- respondents has been terminated or directing them to hand over the charge to the newly appointed Dy. Government Advocates. Rule 6 of the Rules specifically requires that the appointment of a Government Advocate shall be liable to termination at any time by a notice of one month in writing. In their appointment order dated June 05, 1985 (Annex.-I), it is clearly mentioned that their appointment is governed by the Rules including Rule 6. We do not, therefore, find any error in the order of the learned Single Judge,

warranting our interference. The facts and circumstances of Harpal Singh Chauhan v. State of U.P. : 1993 CriLJ3140 are quite different and distinguishable. It does not help the appellants.

6. Accordingly, the special appeals are dismissed with costs. However, the State Government is at liberty to terminate the appointment of the petitioner-respondents in accordance with law and not to assign any work to them till their appointments are terminated.

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