



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Writ Restoration No. 113/2021



1. State Of Rajasthan, Through Secretary, Public Works Department, Government Of Rajasthan, Secretariat, Jaipur (Raj.).
2. Superintendent Engineer, Public Works Department, Circle Ii, Bikaner (Raj.).
3. Executive Engineer, Public Works Department, Division Churu (Raj.).
4. The Assistant Engineer, Sub Division I And Ii Public Works Department, Churu (Raj.).

-----Petitioners

Versus

1. Ballu Khan (Deceased) through His Legal Representatives
 - 1/1. Ayub Khan S/o Late Shri Ballu Khan, By Caste Kayamkhani, R/o Ward No. 17, Behind Lohiya College, Churu (Raj.).
 - 1/2. Hasan Khan S/o Late Shri Ballu Khan, By Caste Kayamkhani, R/o Ward No. 17, Behind Lohiya College, Churu (Raj.).
 - 1/3. Yusuf Khan S/o Late Shri Ballu Khan, By Caste Kayamkhani, R/o Ward No. 17, Behind Lohiya College, Churu (Raj.).
 - 1/4. Nisar Khan S/o Late Shri Ballu Khan, By Caste Kayamkhani, R/o Ward No. 17, Behind Lohiya College, Churu (Raj.).
2. The Judge Labour Court And Industrial Tribunal, Bikaner (Raj.).

-----Respondents

For Petitioner(s) : Mr. Anil Bachhawat

**HON'BLE MR. JUSTICE VIJAY BISHNOI****Judgment / Order****29/11/2021**

The matter comes up for consideration of restoration application preferred on behalf of the petitioners with a prayer to restore the SBCWP No.292/2002 to its original number, which was dismissed pursuant to the order of this Court dated 21.10.2016. The restoration application is preferred by the petitioners on 12.9.2021 i.e. almost after 21 years of passing of the award dated 11.10.2000 by the Labour Court, Bikaner.

Learned counsel for petitioners has submitted that the State has preferred a restoration application (151/2017) for restoring the SBCWP No.292/2002 in the year 2017, however, the same was dismissed as withdrawn by this Court while granting liberty to the State to file an appropriate application.

It is noticed that the earlier restoration application was dismissed as withdrawn by the order of this Court dated 13.7.2017, however now, after passing of four years of the order dated 13.7.2017, the present restoration application has been filed. In the restoration application, the reason for delay in filing the same has been given that the applicants were under an impression



that the restoration application filed by them earlier in the year 2017 is still pending.

I do not find the reason supplied by the applicants for filing the restoration application with a delay as convincing. Therefore, no case for restoration is made out and the restoration application is dismissed.



(VIJAY BISHNOI),J

33-msrathore/-

