

ITEM NO.35

COURT NO.10

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 31096/2017

(Arising out of impugned final judgment and order dated 15-05-2017 in DBWMA No. 95/2017 passed by the High Court of Judicature for Rajasthan at Jodhpur)

THE STATE OF RAJASTHAN & ORS.

Petitioner(s)

VERSUS

SHYAM SUNDER SAINI & ORS.

Respondent(s)

(FOR CONDONATION OF DELAY IN FILING ON IA 107658/2017
FOR EXEMPTION FROM FILING O.T. ON IA 107661/2017)

Date : 03-11-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Ms. Kiran Bala Sahay, Adv.
Ms. Priyanka, Adv.
Ms. Priyadarshni Priya, Adv.
Ms. Ruchi Kohli, AOR

For Respondent(s)

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

We have heard learned counsel for the petitioners and perused the record.

Delay condoned.

Vide order dated 23.02.2017, in the earlier round of litigation, we noted the submission of the counsel for the petitioner- State that the High Court had erroneously held that the matter was covered by the earlier judgment. We permitted the petitioner to move the High Court and requested the High Court to look into the matter on merits. The High Court has not dealt with the merits and dismissed the application.

Accordingly, if the petitioner moves a fresh application,

we request the Chief Justice of High Court of Rajasthan to place the matter before the appropriate Bench, so that the merits of the matter can be looked in terms of the order of this Court dated 23.02.2017.

The special leave petition is disposed of in above terms.

Pending applications, if any, shall also stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(SUMAN JAIN)
BRANCH OFFICER