

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

D.B. Spl. Appl. Writ No. 336/2024

1. State Of Rajasthan, Through The Secretary, Department Of Home, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director General Of Police, Jaipur, District Jaipur, Rajasthan.
3. The Commandant, 11Th Battalion, Rac (Ir) Vazirabad, Delhi-110090.

----Appellants

Versus

1. Kundan Meena S/o Hari Narayan Meena, Aged About 25 Years, R/o Village And Post Dindol, Tehsil Bassi, District Jaipur, At Present Quarter No. 21, Rac, Mandore Road, Jodhpur, Rajasthan.
2. Rajasthan Subordinate And Ministerial Staff Selection Board, Through The Secretary, Durgapura, Jaipur.
3. The District Education Officer (Head Quarter), Secondary, Sawai Madhopur.

----Respondents

For Appellant(s)	:	Mr. B.L. Bhati, AAG
For Respondent(s)	:	-----

**HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

18/07/2025

For the reasons stated in the application under Section 5 of the Limitation Act, the delay is condoned. Application under Section 5 of the Limitation Act is allowed.

Learned counsel for the State fairly states that the issue is no more res integra as the same has already been decided by a

Division Bench of this Court in DB Special Appeal Writ No.80/2025 on 09.04.2025, wherein this Court has held as under :

"2. Mr. Chandak, learned counsel for the appellant-State fairly submits that the order under consideration was passed by the learned Single Judge while relying upon the judgment in the cases of Avinash Gajna & Ors. Vs. State of Rajasthan & Ors : S.B. Civil Writ Petition No.12565/2020 decided on 30.05.2023 and Prafull Mehta (Dr.) Vs. State of Rajasthan & Anr. : S.B. Civil Writ Petition No.3703/2012 and the special appeals filed thereagainst have been dismissed by the Division Bench of this Court vide judgment dated 22.03.2017 passed in D.B. Spl. Appl. Writ No.228/2014 (State of Rajasthan & Anr. Vs. Dr. Prafull Mehta) and the judgment dated 05.04.2024 passed in D.B. Spl. Appl. Writ No.73/2024 (State of Rajasthan & Ors. Vs. Avinash Gajna & Ors.)."

In view of above, the present appeal is also decided accordingly mutatis mutandis.

(SANDEEP SHAH),J

(SANJEEV PRAKASH SHARMA),J