

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Writ Petition No. 5442/2023

Pramod Gehlot

-----Petitioner

Versus

The Rajasthan High Court

-----Respondent

For Petitioner(s)	:	Mr. Rajvendra Saraswat
For Respondent(s)	:	Mr. Aniket Tater

HON'BLE THE CHIEF JUSTICE MR. AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

03/07/2023

It is the contention of learned counsel for the petitioner that apart from the aspect of the challenge to the vires, in an earlier writ petition which was preferred by him being D.B. Civil Writ Petition No. 3040/2022 [Pramod Gehlot Vs. The Rajasthan High Court & Anr.], the same was disposed of vide order dated 25.02.2022 with a direction to the respondents to consider and decide the representation. Liberty was also granted to revive the writ petition in case no decision is taken on the representation. Since no decision was taken, an application being D.B. Civil Misc. Application No. 223/2022 for reviving of the writ petition was preferred which was disposed of vide order dated 24.02.2023, wherein, this Court was informed that the decision has been taken on the representation and since certain decision has been taken, liberty was granted to the petitioner to challenge the said decision by way of a separate petition, in case the petitioner was aggrieved.

Learned counsel for the petitioner contends that the communication which has been received by the petitioner from the District & Sessions Judge, Jodhpur Metro, Jodhpur is dated 27.04.2022 (Annx.25) which does not assign any reason whatsoever with regard to showing consideration of the claim of the petitioner or giving reasons for non acceptance thereof. It merely indicates that the representation has been rejected/filed. Learned counsel for the petitioner thus contends that there is no speaking order passed by the respondents.

Learned counsel for the petitioner contends that as of now notice may be issued to only respondent no. 1.

Issue notice of the writ petition as well as stay application to respondent no. 1 only for the time being.

Mr. Aniket Tater puts in appearance on behalf of the respondent no. 1. He prays for and is granted two weeks time to file the reply as also to produce the original record on the next date of hearing.

Rejoinder, if any, to the reply be filed within a further period of one week.

List this case for consideration on 07th August, 2023.

(VINIT KUMAR MATHUR),J (AUGUSTINE GEORGE MASIH),CJ