

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

S.B. Writ Misc Application No. 201/2025

1. The State Of Rajasthan, Through The Chief Engineer, Mahi Bajaj Sagar Project, Banswara At Present The Superintending Engineer, Construction Zone, Mahi Bajaj Sagar Project, Banswara Rajasthan.
2. The Executive Engineer, Coman Civil Works Division-I, At Present The Executive Engineer, Mahi Dam Division I, Mahi Project, Banswara Rajasthan.
3. Judge, Industrial Tribunal Cum Labour Court, Udaipur (Raj.).

-----Petitioners

Versus

1. Huka Father/o Rakma, Aged About 41 Years, R/o Samapada Post Kesharpura, Tehsil And District Banswara Rajasthan.
2. Prabhu S/o Shri Bhanji Mahida, R/o Singhpura Post Kadaliya Tehsil And District Banswara Rajasthan
3. Prabhu Lal S/o Shri Galji, R/o Aankeleshwar Post Banswara (Ward No. 27) Tehsil And District Banswara Rajasthan.
4. Gautam S/o Shri Hema, (4/1) Smt. Roopa W/o Lt. Shri Gautam S/o Shri Hema, Aged About 44 Years, R/o Samaipura Post Kadaliya, Tehsil And District Banswara Rajasthan.
5. Smt. Puni D/o Shri Rakma W/o Shri Prabhu, Aged About 41 Years, R/o Samapada, Post Kesharpura, Tehsil And District Banswara Rajasthan.
6. Devi Lal S/o Shri Heerji, Aged About 42 Years, R/o Sundanpur, Post Sundanpur, Tehsil And District Banswara Rajasthan.
7. Smt. Lali D/o Shri Nagji W/o Shri Hakru Damore, Aged About 43 Years, R/o Kalanala Post Nalda Tehsil And District Banswara Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Milap Chopra

For Respondent(s) : Mr. Ravindra Singh

JUSTICE DINESH MEHTA**Order****26/08/2025**

1. Upon hearing learned counsel for the parties and considering the submissions made at bar, this Court is of the view that the issue in question is not covered by the judgment of this Court in the case of Smt. Dhuli vs. The Judge, Labour Court & Ors. (S.B. Civil Writ Petition No. 1087/2006) decided 16.04.2007, inasmuch as, after expiry of substantial period, the Court may or may not like to pass an order of reinstatement, while setting aside the order regarding back-wages, the facts of each case have to be taken into consideration in light of the contentions of the rival parties.
2. Accordingly, the present application is allowed. The order dated 03.12.2024 passed in S.B. Civil Writ Petition No. 14357/2015 is recalled.
3. The writ petition is restored to its original number.

(DINESH MEHTA),J