

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

S.B. Writ Misc Application No. 199/2025

1. The State Of Rajasthan, Through The Chief Engineer, Mahi Bajaj Sagar Project, Banswara At Present Superintending Engineer, Construction Zone, Mahi Bajaj Sagar Project, District Banswara (Raj.).
2. The Executive Engineer, Left Main Canal At Present The Executive Engineer, Dam Division I, Mahi Project, District Banswara (Raj.).
3. The Executive Engineer, Left Main Canal Distributary Division I, Mahi Project Garhi, District Banswara (Raj.).
4. Judge, Industrial Tribunal Cum Labour Court, Udaipur (Raj.).

-----Petitioners

Versus

1. Kalu S/o Vithala, R/o Gordie Post Sundanpur Tehsil And District Banswara Rajasthan.
2. Smt Nathi D/o Shri Khomji W/o Shri Narayan, R/o Narelpada Post Galkiya Tehsil And District Banswara Rajasthan
3. Smt. Meena D/o Shri Nathu W/o Shri Dala, R/o Narelpada Post Galkiya Tehsil And District Banswara Rajasthan.
4. Smt. Ganga D/o Shri Kaliya W/o Shri Partu, R/o Kupda Post Kupda Tehsil And District Banswara Rajasthan.
5. Smt. Kali D/o Shri Gautam W/o Shri Rameng, R/o Narelpada Post Galkiya Tehsil And District Banswara Rajasthan.
6. Nagji Bhagora S/o Shri Jeeva Bhagora, R/o Janawari Post Chidiyawasa, Tehsil And District Banswara Rajasthan.
7. Nagji S/o Shri Lalji, R/o Banka Post Galkiya, 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 11.12.2024 passed in S.B. Civil Writ Petition No. 14815/2017 is recalled.
3. The writ petition is restored to its original number.

(DINESH MEHTA),J