

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

S.B. Writ Misc Application No. 204/2025

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

-----Petitioners

Versus

1. Naniya S/o Shri Hema, R/o Pateliya Post Pindarma, Tehsil Bagidora, District Banswara Raj.
2. Kanu Alias Kaniya S/o Shri Mogji, R/o Borigama, Tehsil Bagidora, District Banswara Raj.

-----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 05.12.2024 passed in S.B. Civil Writ Petition No. 7820/2018 is recalled.

3. The writ petition is restored to its original number.

(DINESH MEHTA),J

61-Mak/-