

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

D.B. Spl. Appl. Writ No. 843/2025

1. State Of Rajasthan, Department Of Home, Through Its Secretary, Govt. Secretariat, Jaipur (Raj.).
2. The Principal Secretary, Department Of Finance (Rules), Government Of Rajasthan, Government Secretariat, Jaipur (Raj.).
3. The Adgp (Armed Battalion), Police Head Quarter, Lalkothi, Jaipur (Raj.).
4. The Commandant, 1St Battalion Rajasthan Armed Constabulary (Rac), Headquarter, Nagauri Bera Mandore, Jodhpur (Rajasthan).

-----Appellants

Versus

1. Bhagirath Ram S/o Shri Chotha Ram, Aged About 45 Years, R/o Village And Post Badavas, Binawas, District Jodhpur (Raj.)
2. Lumba Ram S/o Shri Mangla Ram, Aged About 48 Years, R/o Village And Post Kherap, District Jodhpur (Raj.).
3. Chuni Lal S/o Shri Dhagla Ram, Aged About 48 Years, R/o Village And Post Rendari, District Pali (Raj.).
4. Bhakar Ram S/o Shri Ratna Ram, Aged About 48 Years, R/o Village And Post Sathin, District Jodhpur (Raj.).
5. Bhiya Ram S/o Shri Jag Ram, Aged About 47 Years, R/ovillage And Post Binawas, District Jodhpur (Raj.).
6. Munni Ram S/o Shri Deva Ram, Aged About 47 Years, R/o Village And Post Rajala Nada, Peelwa, District Jodhpur (Raj.).
7. Bhiya Ram S/o Shri Rugha Ram, Aged About 48 Years, R/o Village And Post Near Govt. School, Pahadganj-2, Jodhpur (Raj.).
8. Jagdish Ram S/o Shri Ram Lal, Aged About 48 Years, R/o Village And Post Kagal, Bhundana, District Jodhpur (Raj.).
9. Mahendra Singh S/o Shri Shokin Ram, Aged About 46 Years, R/o Village And Post Khangata, District Jodhpur (Raj.)

-----Respondents

For Appellant(s) : Mr. B.L. Bhati, AAG
Mr. Deepak Chandak
Mr. Banshi Lal

For Respondent(s) :

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH**

11/02/2026

1. The matter comes upon an application (I.A. No.1/25) filed under Section 5 of the Limitation Act, 1963 seeking condonation of delay of appeal.
2. Considering the contents of the application, the same is allowed. The delay of 717 days in filing the appeal is hereby condoned.
3. Learned counsel for the State, Mr. B.L. Bhati, has shown the order passed by this Court in D.B. Special Appeal Writ No.326/2025, "*State of Rajasthan & Ors. v. Basheer Khan & Ors.*" decided on 15.12.2025, which reads as under:-

"1. The present appeal has been filed against the order dated 17.02.2023 passed by the learned Single Judge of this Court in S.B. Civil Writ Petition No.2872/2023, wherein, the direction has been given by the learned Single Judge to consider and decide the representation of the petitioners (respondents herein) in light of the judgment dated 17.12.2012 rendered by this Court in the case of Dara Singh Vs. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.11973/2012).

2. Learned counsel for the appellants submits that the controversy involved in the present case is not covered by the case of Dara Singh (supra) as held by the learned Single Bench and, therefore, such direction could not have been granted. He, therefore, prays that the present appeal may be allowed.

3. We have considered the submissions made at the Bar and gone through the relevant record of the case including the impugned order dated 17.02.2023.

4. A bare perusal of the impugned order dated 17.02.2023 shows that the direction is only to the extent of considering and deciding the representation of the petitioners (respondents herein) in light of the judgment rendered in the case of Dara Singh (supra).

5. This Court is of the view that if the case of the respondents is not covered by the case of Dara Singh (supra), then the appellants authorities are at liberty to pass appropriate orders while considering and deciding the representation of the respondents.

6. *Therefore, no interference is warranted in the present case, thus, the appeal is, therefore, dismissed."*

4. In light of the aforesaid order, the present appeal is also disposed of in same terms.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J

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