

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

D.B. Special Appeal Writ No. 804/2026

CNR: RJHC010622562026

URN: SAW / 1514U / 2026

1. State Of Rajasthan, Through The Secretary, Public Health Engineering Department Phed, Secretariat, Government Of Rajasthan
2. The Chief Engineer Rural, Public Health Engineering Department Phed, Jaipur, Rajasthan.
3. Secretary, Department Of Finance, Secretariat, Government Of Rajasthan, Jaipur.
4. Executive Engineer, Public Health Engineering Department Phed Balotra Division, Balotra, District Barmer.

----Appellants

Versus

Jai Prakash Gupta S/o Shri Anant Ram Gupta, Aged About 60 Years, Resident Of Agarwal Colony, Balotra

----Respondent

For Appellant(s)	:	Mr. S.S. Rathore, AAG
For Respondent(s)	:	Mr. Pankaj Mehta with Ms. Taniya Mehta.

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

Order

06/07/2026

1. The matter comes up on an application (IA No.1/26) for clarification/modification of the order dated 03.07.2026.
2. Learned counsel for the appellants submits that in the order dated 03.07.2026 after paragraph 2, although the agreement of the learned counsel for the respondent for giving such undertaking was dictated in the Court, but the same has not been inscribed in the order dated 03.07.2026.

3. Learned counsel for the respondent is not in a position to oppose the application preferred by the appellants – State.
4. In this view of the matter, the order dated 03.07.2026 is modified and the same is reads as under:-

- “1. Learned Additional Advocate General for the State submits that in pursuance of the undertaking given on behalf of the appellant-State before the learned Single Bench on 21.05.2026 in **S.B. Writ Contempt No.1310/2018**, the appellant-State shall comply with the directions issued by this Court subject to the outcome of the present Appeal.
2. Learned AAG further submits that the learned counsel for the respondent should give an undertaking that in case, the Division Bench Appeal is decided against the respondent, the State will be free to recover the entire benefits extended to him in pursuance of the directions issued by this Court.
3. Learned counsel for the respondent undertakes that in case the appeal is decided against the respondent, disputed amount extended to him in pursuance of the directions issued by this Court, shall be refunded without any objection.
4. Learned counsel for the respondent seeks ten days' time to file reply to the application preferred under Section 5 of the Limitation Act.
5. Time prayed for is allowed.
6. List the matter on 17.08.2026.”

5. Accordingly, the application is allowed in the terms stated above.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J