

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

D.B. Spl. Appl. Writ No. 1294/2025

1. State Of Rajasthan, Through - Its Secretary, Department Of Home, Government Of Rajasthan, Secretariat, Jaipur (Rajasthan).
2. Director General Of Police, Jaipur, District Jaipur (Rajasthan).
3. The Superintendent Of Police, Jaipur, District-Jaipur (Rajasthan).
4. The Director, (Elementary Education), Bikaner, District-Bikaner (Rajasthan).
5. Chief Executive Officer, Zila Parishad, Sirohi, District-Sirohi (Rajasthan).
6. The District Education Officer, Elementary Education, Sirohi, District Sirohi (Rajasthan).

----Appellants

Versus

Kailash Sharma S/o Shri Satyanarayan Sharma, Aged About 27 Years, Resident Of Village Parsoli, District- Chittorgarh (Rajasthan).

----Respondent

For Appellants : Mr. Deepak Chandak

**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

Order

27/02/2026

1. An application is preferred on behalf of the appellants for condoning the delay of 88 days in filing the present special appeal.
2. For the reasons mentioned in the application, the same is allowed and the delay of 88 days in filing the present special appeal is condoned.
3. Learned counsel for the appellants fairly states that similar appeal preferred by the State stand already dismissed by the Co-ordinate Bench of this Court in D. B. Special Appeal Writ No.676/2025.

4. The Co-ordinate Bench of this Court in D. B. Special Appeal Writ No.676/2025 passed the order dated 20.09.2025, which reads as thus:-

"1. For the reasons stated, the application filed under Section 5 of the Limitation Act, is allowed. Accordingly, the delay of 385 days in filing the special appeal is condoned.

2. Mr. Chandak, learned counsel for the appellant-State fairly submits that the order under consideration was passed by the learned Single Judge while relying upon the judgment in the cases of Avinash Gajna Vs. State of Rajasthan & Ors. : S.B. Civil Writ Petition No.12565/2020 decided on 30.05.2023 and Prafull Mehta (Dr.) Vs. State of Rajasthan & Anr. : S.B. Civil Writ Petition No.3703/2012 and the special appeals filed there against have been dismissed by the Division Bench of this Court vide judgment dated 22.03.2017 passed in D.B. Spl. Appl. Writ No.228/2014 (State of Rajasthan & Anr. Vs. Dr. Prafull Mehta) and the judgment dated 05.04.2024 passed in D.B. Spl. Appl. Writ No.73/2024 (State of Rajasthan & Ors. Vs. AvinashGajna & Ors.).

3. In view of the aforesaid and following the adjudication made in the above referred judgments of the Division Bench of this Court, the present special appeal stands dismissed."

5. It is also informed that the order dated 22.03.2017 passed by the Division Bench in the earlier case (D. B. Special Appeal Writ No.228/2014) has been affirmed by the Hon'ble Supreme Court in the SLP.

6. In view of the above, the present special appeal is also dismissed *mutatis mutendis*.

7. All pending applications also stand disposed of.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACJ