

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

D.B. Spl. Appl. Writ No. 123/2024

1. State Of Rajasthan, Through Principal Secretary, Mines Department, Government Of Rajasthan, Secretariat, Jaipur.
2. Chief Secretary, State Government Of Rajasthan, Secretariat, Jaipur (Raj.).
3. Joint Secretary (Admin), Mines And Geology Department, Secretariat, Jaipur (Raj.).
4. The Director, Mines And Geology Department, Directorate, Khanij Bhawan, Udaipur.
5. The Mining Engineer, Mines And Geology Department, Sirohi.

----Appellants

Versus

1. Veer Vikram Singh Tomar S/o Shri Narendra Singh Tomar, Aged About 39 Years, R/o 5-A, Subhash Chandra Boss Colony, Ratanada, Tehsil And District Jodhpur.
2. Union Of India, Through The Secretary, Ministry Of Mines, New Delhi.

----Respondents

For Appellant(s)	:	Mr. Mahaveer Bishnoi, AAG
For Respondent(s)	:	--

**HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE MADAN GOPAL VYAS**

Order

21/08/2024

1. Heard on application for condonation of delay in filing the appeal.
2. Considering the fact that there is a very short delay of 13 days in filing the appeal, the delay is condoned.
3. The application under Section 5 of the Limitation Act is allowed.

4. Learned counsel for the appellants submits that the only defect is with regard to non-filing of certified copy of the impugned order.
5. He submits that as number of appeals have been preferred by the State against the common order, which have been entertained and interim orders have also been passed, the prayer for exemption may be allowed.
6. Upon the consideration, exemption as prayed for is allowed.
7. Issue notice to respondents on payment of PF within two weeks, returnable in three weeks.
8. In addition, copy of petition be also supplied to learned counsel for the Union of India.
9. Heard on stay application.
10. Learned counsel for the appellants informs that in the lead case being D.B. Spl. Appl. Writ No. 769/2023, State of Rajasthan & Ors. Vs. Dalpat Singh Chundawat & Ors., the Division Bench of this Court has stayed the effect and operation of the impugned order and therefore, a prayer is made for similar order.
11. In view of the aforesaid submission, the effect and operation of impugned order in present appeal shall also remain stayed until further orders.
12. List along with D.B. Spl. Appeal Writ No. 769/2023 and connected cases.

(MADAN GOPAL VYAS),J

(MANINDRA MOHAN SHRIVASTAVA),CJ