

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

D.B. Spl. Appl. Writ No. 936/2023

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

----Appellants

Versus

1. Salim Choudhary S/o Shri Shamshuddin Choudhary, Aged About 63 Years, At Present R/o Chopasni Housing Board Jodhpur Raj.
2. Union Of India, Through The Secretary, Ministry Of Mines, Mines Department, New Delhi.

----Respondents

For Appellant(s) : Mr. Sandeep Shah, AAG with Mr. Abhimanyu Singh Rathore.

For Respondent(s) : ---

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

Order

01/02/2024

1. One of the objections pointed out by the office pertains to non-filing of the certified copy of the order under appeal.
2. Learned Additional Advocate General submits that qua the impugned order several appeals are pending consideration before this Court including D.B. Special Appeal (W) No.769/2023 – State of Rajasthan Vs. Dalpat Singh Chundawat and in few cases certified copy of the impugned order has been filed, and therefore,

requirement of filing of certified copy of the order under appeal may be dispensed with.

3. In view of the submissions made above, the requirement of filing of certified copy of the order impugned is dispensed with.

4. Though the office has pointed out several other defects, looking to the fact that several appeals are pending before this Court, the said defects are waived. Considering that the common issue arises for consideration, at the time of hearing, the record of D.B. Special Appeal (W) No.769/2023 shall be referred to.

5. Learned Additional Advocate General submits that in similar appeal being D.B. Special Appeal (W) No.769/2023, this Court relying upon the order passed by this Court at Jaipur Bench in D.B. Special Appeal (W) No.688/2023 and other connected appeals issued notices and granted interim protection.

6. Issue notice.

7. Till the next date of hearing, effect, operation and execution of the impugned order shall remain stayed.

8. List this case along with D.B. Special Appeal (W) No.769/2023.

(MADAN GOPAL VYAS),J

(MANINDRA MOHAN SHRIVASTAVA),ACJ