

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Review Petition (Writ) No. 1/2025

Parmeshwar Prajapat

-----Petitioner

Versus

The Chairman

-----Respondent

For Petitioner(s) : Mr. Basti Chand

For Respondent(s) : Mr. NS Chandawat, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

10/02/2026

1. The service is complete, but none appeared for the respondent.
2. The application under Section 5 of Limitation act has been filed with the submission that the petitioner had filed S.B. Civil Writ Petition No. 2293/2001 challenging retrospective pay fixation and recovery. The writ petition was dismissed on 23-07-2024 as counsel was absent during the hearing on 03-07-2024. The absence occurred due to the counsel's personal distress following the death of his son on 06-05-2024, and the dismissal came to knowledge only on 20-08-2024. A certified copy of the order was obtained on 17-09-2024. Delay in filing the review/recall petition occurred due to these circumstances and misplacement of the case file, and was neither intentional nor due to negligence. The delay is bona fide and may be condoned in the interest of justice, as the matter affects the petitioner's service and retirement benefits.

3. Being satisfied with the reasons as mentioned above, the application under Section 5 of Limitation Act is allowed. The delay is condoned.

4. List the matter after two weeks along with S.B. WRW No.112/2024.

(FARJAND ALI),J

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