

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Writ Miscellaneous Application No. 131/2026

In

S.B. Civil Writ Petition No. 6425/2025

Nazya Khan D/o Abdulla Miyan W/o Mohammad Shakeel Khan,
Aged About 50 Years, Resident Of Plot No. 71, Sayyed Colony,
Behind Ghol Ki Masjid, Mohalla Ghol, Tonk-304001

-----Petitioner/Applicant

Versus

1. State Of Rajasthan, Through The Secretary, School Education Department, Government Secretariat, Jaipur
2. The Director, Secondary Education, Rajasthan, Bikaner
3. The Principal, Government Senior Secondary School, Kothinatamam, Tonk District Tonk

-----Respondents/Non-Applicants

For Petitioner(s)	:	Mr. Ilyas Khan for Mr. Tanveer Ahamad
For Respondent(s)	:	Mr. Manoj Sharma, AAG with Mr. Vishal Kumar Mr. Vishwas Fathepuria

HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/05/2026

Learned counsel for the petitioner-applicants submits that on account of communication gap, a bonafide incorrect statement was made on 12.02.2026 that the petitioner has already joined at the transferred place and on account of such joining, no cause of action for pursuing this writ petition survives and the same has become infructuous.

In view of the above statement made by learned counsel for the petitioner before this Court on 12.02.2026, S.B. CWP No. 6425/2025 was dismissed as having become infructuous.

Learned counsel submits that as the interim order was in operation in S.B. CWP No. 6425/2025, therefore, the petitioner never joined to their transfer place but due to confusion arose on account of communication gap, bonafide statement was given by him therefore, the order dated 12.02.2026 be recalled and the writ petition be restored at its original number.

Learned Additional Advocate General opposed the application and submitted that the order dated 12.02.2026 was passed on the statement of learned counsel for the petitioner.

Heard and considered.

In view of the fact that S.B. CWP No. 6425/2025 was not decided on merits and was directed to be dismissed as having become infructuous only on the basis of statement made by learned counsel for the petitioner, which as per him was incorrect and was given on bonafide wrong impression, in the interest of justice and for the purpose of dispensing with substantial justice, order dated 12.02.2026 is hereby recalled and S.B. CWP No. 6425/2025 is restored to its original number.

(ANAND SHARMA),J