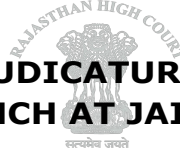




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Civil Review Petition No. 122/2024

IN

D.B. Civil Writ Petition No. 7451/2020

1. Prithviraj Meena S/o. Ram Karan Meena, 9 Biswa Thodabhim, Karauli (Dist.) Rajasthan
2. Ved Prakash Solanki, S/o Shri Mata Prasad Solanki, Aged About 44 Years, MLA, N-35, Gandhi Nagar, Jaipur I,
3. Suresh Modi S/o. Mohan Lal Modi, Maya Bhawan Neem Ka Thana Distt. Sikar
4. Vishvendra Singh S/o Brijendra Singh, 18 D, Civil Lines, Jaipur
5. Deependra Singh S/o Late Bharat Singh, Village Mau The Shrimadhopur Dist. Sikar Rajasthan
6. Sachin Pilot, S/o Late Shri Rajesh Pilot, Aged About 42 Years, R/o. VPO, 11, Civil Line, Jaipur
7. Bhawarlal Sharma S/o. Manak Ram Sharma, 46-47, Sardar Shahar House Graenade Marg Pratap Nagar Kathipura Jaipur
8. Gajraj Khatana S/o Late Suraj Bhan, 65, Bhagwati Nagar -I Jaipur
9. Indraj S/o. Umrao Lal Gurjar, 578, Ganga Mata Temple Area Pavota Tehsil Kotputli Jaipur
10. Gajendra Singh Shaktawat, S/o Shri Gulab Singh Sherawat, Shaktawat Farm House, Behind Police Station, Bheender, Udaipur.
11. Hema Ram Choudhary S/o Moola Ram Choudhary, Vill. Adarsh Luk Dhauri Mana, Barmer Rajasthan
12. Ram Niwas Gawriya, S/o Shri Raghu Ram, MLA, R/o. Near Marwar School, Jhalra Road, Kuchaman City, Nagaur, Rajasthan
13. Amar Singh S/o Sukh Ram, Aged About 51 Years, Jatav Basti Basai Post - Bansi Pahlad Pur The Roopwas Bharatpur
14. Brijender Singh Ola, S/o Shri Sisram Ola, Aged About 51 Years, 96, Gourav Nagar, Civil Lines, Jaipur.



15. Murari Lal Meena S/o. Narayan Lal Meena, R- 5H/101-102, Indira Gandhi Nagar Jaipur
16. Mukesh Kumar Bhakar S/o Surja Ram, Ladun, VPO, Khariya Teh Didwana Dist Nagur Rajasthan
17. Rakesh Parekh, S/o Shri Rameshwar Lal Parikh, Village. Miyan, Bhagwan Pura, Sarwad, Ajmer
18. Harish Meena, S/o Shri Narayan Meena, MLA, No.10, Jawahar Nagar, Jaipur
19. Ramesh Chand Meena S/o. Shankar Lal Meena, H No 52, Village Naya Gaon Post Ranipura Teh Madrayal Karauli Rajasthan

-----Petitioners

Versus

1. The Honble Speaker, Rajasthan Legislative Assembly Jaipur Rajasthan
2. The Secretary, Rajasthan Legislative Assembly, Jaipur, Rajasthan
3. Mr. C.P. Joshi S/o Sh. Bhudev Prasad Joshi, Honble Speaker, Rajasthan Legislative Assembly, 49, Civil Lines, Jaipur - 302 006
4. Dr. Mahesh Joshi S/o Shri Mool Chand Joshi, Aged About 66 Years, R/o B-20, Sen Colony, Powerhouse Road, Near Railway Station, Jaipur
5. Public Against Corruption, Through Its General Secretary Poonam Chand Bhandari S/o Late Shri Rikhab Raj Bhandari, Aged About 65 Years, R/o A-14, Malviya Nagar, Jaipur
6. Virendra Singh Hada S/o Pratap Singh Hada, R/o D-6/247, 2nd Floor Chitrakoot Yojna, Jaipur.
7. Mohan Lal Nama S/o Late Shri Murlidhar Nama, R/o C-1, Ganesh Nagar, C-Block, Shanti Path, Tilak Nagar, Jaipur
8. Union Of India, Through The Secretary, Ministry Of Law and Justice (Department of Legal Affairs), Regd. Office At 4th Floor, A-Wing, Shastri Bhawan, New Delhi-Delhi-110001

-----Respondents



For Petitioner(s) : Mr. Vimal Chand Chaudhary
For Respondent(s) : Mr. Bharat Vyas, ASG with
Mr. Rakesh Choudhary (CGPC)
Ms. Anima Chaturvedi
Ms. Anushka Khandelwal through V.C.
for UOI

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

30/04/2026

1. The review petition has been filed by the petitioners seeking review of the order dated 19.12.2023 passed by this Court wherein, this Court rendered the writ petition as having become infructuous by passing the following order:

"Learned counsel for the petitioners submits that in view of the subsequent event, the writ petition is now rendered infructuous.

Having gone through the matter, this Court is of the view that the issue has now been rendered academic.

In view of the statement so made, this petition is disposed off as having rendered infructuous."

2. Learned counsel appearing for the review petitioners, who themselves had moved an application for impleadment in the main writ petition, have raised a grievance that they were not informed about the submissions advanced and no opportunity was given to them to argue that the petition has not been rendered infructuous. He submits that 13 questions raised by the Court were very important to be adjudicated and ought not have been left unserved by the Court and, therefore, the order should be reviewed and the case be heard on merits.



3. Learned counsel further submits that the questions regarding the constitutional validity of provisions of Schedule Tenth are under challenge and the issue of anti-defection is also involved, therefore, citizens of the State are directly affected and the writ petition, therefore, should be heard on merits and it should not be rendered as infructuous. He has also relied upon the judgment passed in the case of **(2024) 2 SCC 719: Subhash Desai Vs. Governor of Maharashtra** on the issue that a PIL cannot be dismissed as having become infructuous. Another judgment reported in **(1988) 4 SCC 226: Sheela Barse v. Union of India** has also been cited to buttress the same contention.

4. We have considered the submissions.

5. The plain reading of the order dated 19.12.2023 reflects that apart from the petitioners' submissions, the writ petition has now been rendered infructuous. The Court has also examined as to whether the case should be continued and found that the issues which have been raised and noted in the order of admission have been rendered admitted and, therefore, the writ petition was rendered infructuous.

6. We do not find any error apparent on record or any factual error committed while passing the order dated 19.12.2023. The scope of review is totally limited, as held by the Hon'ble Apex Court from time to time and by way of review, re-adjudication of the case cannot be permitted.

7. The review petition is dismissed.

8. Any other pending application(s), if any, stand disposed of.