

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16117/2017

Bhawani Singh Gurjar & Ors.

-----Petitioners

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Ms. Rekha Dixit

For Respondent(s) : Mr. Archit Bohra, AGC

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

13/05/2026

An Interlocutory Application No.1/2024 has been filed on behalf of petitioner Nos.2 & 3 with the prayer to issue similar directions as have been passed by a coordinate Bench of this Court in the case of **Himmat Singh & Ors. Vs. State of Rajasthan & Ors, S.B. Civil Writ Petition No.17843/2015 decided on 30.11.2022.**

Learned counsel appearing for the State-respondents submits that the aforesaid judgment passed in the case of Himmat Singh (supra) was passed by the coordinate Bench while relying upon the judgment passed in **S.B. Civil Writ Petition No.9331/2020 (Dr. Shiekh Mohammad Afzal & Ors. Vs. State of Rajasthan & Ors.) decided on 23.02.2021.** Counsel submits that the judgment passed in the case of Dr. Shiekh Mohammad Afzal (supra) was assailed by the State of Rajasthan before the Hon'ble Division Bench by way of filing D.B. Special Appeal (Writ) No.428/2022, which was allowed by the Hon'ble Division Bench vide order dated 20.10.2023 and the order dated

23.02.2021 passed in SB Civil Writ Petition No.9331/2020 was set aside. In such circumstances, learned State Counsel submits that now the judgment passed in the case of Himmat Singh (supra) is not holding field and thus, similar directions, passed in Himmat Singh (supra), cannot be passed in the present case, as prayed by the petitioners No.2 & 3.

In view of above, Interlocutory Application No.1/2024 is dismissed.

List the matter in the month of July, 2026 for admission.

(ANIL KUMAR UPMAN),J