

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

D. B. Special Appeal (Writ) No. 984/2022

Divya Upadhyay & Others.

----Appellants

Versus

State of Rajasthan & Others.

----Respondents

Connected With

1. D.B. Special Appeal (Writ) No. 972/2022
2. D.B. Special Appeal (Writ) No. 973/2022
3. D.B. Special Appeal (Writ) No. 976/2022
4. D.B. Special Appeal (Writ) No. 978/2022
5. D.B. Special Appeal (Writ) No. 979/2022
6. D.B. Special Appeal (Writ) No. 981/2022

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For Appellants : Mr. R.N. Mathur Senior Advocate  
assisted by Mr. Himanshu Jain  
Advocate.

For Respondents : Mr. Anil Mehta Additional Advocate  
General assisted by Ms. Archana  
Advocate.  
Mr. Udit Sharma Advocate on behalf  
of Mr. Rajesh Maharshi Additional  
Advocate General.

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**HON'BLE THE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA  
HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI**

**Order**

**30/09/2022**

Heard.

In these appeals, office has pointed out defects regarding non-submission of P.F./non-submission of notices for service of private respondents.

Learned Senior Counsel appearing on behalf of the appellants would submit that private respondents are performatory parties only because they were the petitioners along with the appellants and having suffered adverse order, they have chosen

not to file any appeal. Therefore, they have been transposed as private respondents.

Considering the aforesaid submission, service of notice on private respondents is exempted.

In all the appeals, applications for condonation of delay in filing the appeals have also been filed.

Taking into consideration the short period of delay and the cause shown, we are inclined to condone the delay in filing of the appeals.

Applications seeking condonation of delay in filing of the appeals are allowed.

Mr. Anil Mehta, learned Additional Advocate General would appear on behalf of Respondents No. 1 to 5 (official respondents) in all the appeals.

Let copy of memo of appeals along with stay applications be supplied to Ms. Archana, learned counsel assisting Mr. Anil Mehta, learned Additional Advocate General and reply be filed within two weeks.

List all these matters in the week commencing 17.10.2022 for consideration on admission as also stay.

(VINOD KUMAR BHARWANI),J (MANINDRA MOHAN SHRIVASTAVA),ACTING CJ