

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Writ Restoration Application No. 544/2025

In

S.B. Writ Restoration Application No. 476/2024

In

S.B. Civil Writ Petition No. 3999/2000

- 1. The State Of Rajasthan, Through The Principal Secretary To The Government, Department Of Personnel, Raj Secretariat, Jaipur.
- 2. The Secretary To The Government, Law And Legal Affairs Department, Raj. Secretariat, Jaipur.

----Petitioners

Versus

- 1. Shri Rajendra Prasad Gupta S/o Shri Hazari Lal Gupta, 136, Shyampuri, Jhotwara, Jaipur.
- 2. The Rajasthan Civil Service Appellate Tribunal, Rajasthan, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Yash Joshi for Mr. Vigyan Shah, AAG Mr. Priyam Agarwal for Mr. Vivek Guwalani
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For Respondent(s)	:
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HON'BLE MR. JUSTICE ANAND SHARMA

Order

11/02/2026

- 1. Heard on restoration application.
- 2. This is a matter in which the State authorities have acted in a highly negligent manner. Earlier, the writ petition filed by the petitioner-State of Rajasthan was dismissed in default vide order dated 31.01.2024.

3. Thereafter, S.B. Writ Restoration Application No. 476/2024 was filed by the petitioners-applicants with a prayer to restore S.B. Civil Writ Petition No. 3999/2000. However, the said application was also not pursued in a diligent manner, and number of defects were pointed out by the office of this Court. Consequently, a peremptory order dated 12.07.2024 was passed by Coordinate Bench of this Court directing removal of the defects within a period of four weeks. After a long time, defects were cured and vide order dated 06.03.2025 passed in S.B. Writ Restoration Application No. 476/2024, the S.B. Civil Writ Petition No. 3999/2000 was restored. Thereafter once again, nobody appeared in the writ petition. Accordingly, under such circumstances, order dated 02.04.2025 was passed by the Coordinate Bench of this Court observing that the petition was pending since the year 2000, however, the State authorities appeared to be not interested in prosecuting the matter and the writ petition was dismissed for non-prosecution. Order dated 02.04.2025 is reproduced as under:

"1. None has put in appearance on behalf of the petitioners.

2. Even on last occasions also i.e. on 19.03.2025 none appeared on behalf of the petitioners. When the matter was listed before this Court on 31.01.2024 none appeared on behalf of the petitioners and the case was dismissed in default, however an application for restoration was submitted and the same was allowed on 06.03.2025.

3. This petition is pending before this Court since 2000. It appears that the State Authorities are not interested in prosecuting this matter.

4. In view of the above, the writ petition stands dismissed for want of prosecution.

5. Stay application and all applications (pending, if any) also stand dismissed accordingly."

4. Thereafter, the instant S.B. Writ Restoration Application No. 544/2025 has been filed by the petitioners-applicants contending therein that there were changes of counsel and on account of such changes, nobody could appear before the Court on 02.04.2025.

5. No affidavit of the concerned counsel has been filed in support of restoration application.

6. In view of above where a writ petition filed in the year 2000 has not been properly taken care of by the respondent-State merely on the pretext of frequent changes of counsel, which cannot be said to be a justified ground. The State Government is undoubtedly largest litigant in the State of Rajasthan, hence, is expected to maintain an effective mechanism to monitor its cases. Therefore, the negligence on the part of the State authorities cannot be taken lightly by this Court.

7. However, in the interest of justice, only for the purpose of granting last chance, this restoration application is allowed, subject to deposit of cost of Rs.25,000/- within a period of one week in the office of Secretary, RALSA. Upon deposition of the said cost, the writ petition shall stand restored at its original number.

(ANAND SHARMA),J