

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

D. B. Special Appeal Writ No. 932/2021

Vikas Mishra S/o Shri Surendra Kumar Mishra & Ors.

----Appellants

Versus

The State of Rajasthan & Ors.

----Respondents

For Petitioner(s)	:	Mr. Tanveer Ahamad
For Respondent(s)	:	Mr. P.C. Sharma Ms. Gunjan Chawla & Ms. Sheha Kaushal for Mr. Neeraj Batra

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

Order

15/01/2026

1. The present matter was heard and reserved on 15.10.2025. However, subsequent thereto, an additional affidavit came to be filed by the petitioners, which was presented before the Stamp Reporter (Civil) on 31.10.2025, and thereafter the office brought the same to the notice of the Bench, upon which the same was tagged with the record.

2. The additional affidavit brings on record certain material and relevant documents, which could not be obtained by the petitioners prior to the conclusion of arguments and reservation of judgment. It has been specifically averred that the petitioners

were able to secure an office order dated 30.05.2025, which reveals that all employees, including Civil Defence employees, were directed to remain present in the office. The said office order further indicates that the persons whose list appears at page No. 91 of the record—supplied to the petitioners under the Right to Information Act, 2005 vide letter dated 21.04.2025—are in fact working with the respondents.

3. It is further brought on record that the petitioners have obtained copies of contingent bills and the payment sanction order dated 03.09.2025, which demonstrate that employees engaged on contractual/agreement basis are being paid regularly by the respondents. These documents, prima facie, disclose that contractual employees are being continued and remunerated, which runs contrary to the statement earlier made on behalf of the respondents that the petitioners would not be replaced by another set of contractual employees.

4. It has been explained in the additional affidavit that the aforesaid documents could only be availed at a subsequent point of time, after the judgment had already been reserved on 15.10.2025, and therefore, the filing of the additional affidavit at this stage was unavoidable.

5. This Court finds that the documents annexed with the additional affidavit have a direct and material bearing on the merits of the controversy involved. Since the respondents have not yet been afforded an opportunity to rebut the averments and documents contained in the additional affidavit, this Court is of the

considered opinion that the matter deserves to be heard afresh after granting due opportunity of hearing to both the parties.

6. Accordingly, the matter is released from the category of **“judgment reserved”**.

7. Let the matter be placed before the appropriate Bench for hearing the same afresh, in accordance with law.

(BALJINDER SINGH SANDHU),J (DR. PUSHPENDRA SINGH BHATI),J

ms rathore