

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Writ Miscellaneous Application No.259/2024

In

S.B. Civil Writ Petition No.5878/2023

M/s Sun Pharmaceutical Industries Limited, Having Its
Registered Office At Sun Pharma Advanced Research Centre
(SPARC), Tandalja, Vadodara - 390020 Through Its Authorised
Signatory Sh. Purushothaman K Nair

-----Petitioner/Applicant

Versus

Mahesh Kumar Asnani S/o Sh. Chetan Asnani, Aged About 59
Years, Resident Of Flat No. 145, Sector 15, Malviya Nagar, Jaipur.

-----Respondent/Non-applicant

For Applicant(s) : Mr. Achintya Kaushik with
Ms. Bharti Sharma

For Non-applicant(s) : Mr. Mahesh Kumar Asnani, in person

JUSTICE ANOOP KUMAR DHAND

Order

25/05/2026

1. By way of filing the instant writ misc. application, a prayer has been made to recall the order dated 23.07.2024 passed by this Court in S.B. Civil Writ Petition No.5878/2023.
2. Learned counsel for the applicant-petitioner submits that while deciding the S.B. Civil Writ Petition No.5878/2023, this Court issued a direction to the Commissioner to decide the pending application expeditiously as early as possible, preferably within a period of three months from the date of receipt of certified copy of the aforesaid order. Counsel submits that while deciding the

aforesaid writ petition, certain observations were made by this Court in para No.5. Counsel submits that the aforesaid order passed by this Court has been complied with by the Commissioner by passing the order dated 07.01.2025. Counsel submits that the observations made in Para No.5 were not warranted as the issue before this Court was confined to the challenge of the notice issued by the Commissioner, therefore, appropriate orders/directions be passed.

3. *Per contra*, the respondent opposed the prayer and submitted that the order dated 23.07.2024 passed by this Court has already been complied with by the Commissioner by passing the order dated 07.01.2025. Hence, under these circumstances, the application submitted by the applicant-petitioner for recall of the order dated 23.07.2024 is liable to be rejected.

4. Heard and considered the submissions made at Bar and perused the material available on the record.

5. Perusal of the record indicates that while deciding S.B. Civil Writ Petition No.5878/2023 submitted by the applicant-petitioner, a direction was issued to the Commissioner to decide the gratuity matter in a fixed timeline of three months and the directions issued by this Court have already been complied with by the concerned Commissioner by passing the order dated 07.01.2025.

6. This Court deems it just and proper to dispose of the instant application with a clarification that the matter submitted by either side against each other shall be decided independently, in accordance with law on the basis of the pleading of the parties and the documents available on the record, without being influenced by any of the observations made by this Court in para No.5 of the



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order dated 23.07.2024 passed in S.B. Civil Writ Petition No.5878/2023.

7. With the aforesaid observations, the instant writ misc. petition application stands disposed of.

(ANOOP KUMAR DHAND),J

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