

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Misc. Second Stay Application No.1917/2025

in

S.B. Civil Writ Petition No.7631/2017

Deshraj Meena S/o Shri R. K. Meena aged about 48 years, R/o 5/H/100, Indira Gandhi Nagar, Sector-5 Ward No.34, Post Office Dantli, Jaipur-303012 (Raj.).

-----Petitioner

Versus

1. State of Rajasthan, through its Principal Secretary, Water Resources Department, Government of Rajasthan, Secretariat, Jaipur.
2. Secretary, Department of Personnel, Government of Rajasthan, Secretariat, Jaipur.
3. Additional Secretary Cum Chief Engineer, Water Resource Department, Ambedkar Circle, Bhawani Singh Road, Jaipur.
4. Mr.Mohan Lal Gupta, Chief Engineer, Quality Control and Vigilance, Water Resource Department, J L N Marg, Jaipur (Raj.)

-----Respondents

For Petitioner(s)	:	Mr.R. D. Meena
For Respondent(s)	:	Mr.Basan Singh Chhaba, AAG with Mr.Rahul Gupta

JUSTICE ANOOP KUMAR DHAND
Order

13/02/2025

1. Matter comes up on second stay application. The prayer mentioned in the second stay application is as under:-

"It is, therefore, most respectfully prayed that this second Stay Application may kindly be allowed and the respondents may kindly be restrained from holding DPC for promotion to the post of Chief Engineer against the vacancy of year 2024-25 during the pendency of the above captioned writ petition."

2. Learned counsel for the respondent-State apprised this Court that similar second stay application has been submitted by the petitioner in D.B. Civil Writ Petition No.3406/2016. The prayer made in the said writ petition reads as under:-

"It is, therefore, most humbly prayed that this Second Stay Application filed by the petitioner may kindly be allowed and respondent No.1 be restrained from conducting DPC for vacancy year 2024-25 for the post of Chief Engineer during pendency of the writ petition.

Any other order or direction which the Hon'ble Court deems fit and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner."

3. Counsel submits that arguments on the second stay application were heard by the Division Bench of this Court on 27.01.2025 and the Division Bench has passed an order that if any promotion is made by the respondents on the post of Chief Engineer, the same shall remain subject to final outcome of the writ petition.

4. Counsel submits that once the similar prayer made by the petitioner before the Division Bench has been declined and the aforesaid order has been passed, the petitioner cannot be allowed to submit successive second stay application in the instant matter with regard to the similar prayer.

5. Considering the above factual aspect of the matter and looking to the fact that a similar prayer has been made by the petitioner in D.B. Civil Writ Petition No.3406/2016 by way of filing D.B. Civil Second Stay Application No.16093/2024 and the same has been decided on 27.01.2025 by which the respondents have been directed that in case, the promotion is made by them on the

post of Chief Engineer, the same shall be subject to outcome of the writ petition. Now, no further order can be passed contrary to the order passed by the Division Bench in the aforesaid writ petition submitted by the petitioner himself.

6. The instant Second Stay Application stands dismissed.
7. List the matter again on 27.03.2025.

(ANOOP KUMAR DHAND),J