

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 16143/2026

[Arising out of impugned final judgment and order dated 16-02-2026 in DBSAW No. 1849/2025 passed by the High Court of Judicature for Rajasthan at Jodhpur]

RAJASTHAN STATE MINES AND MINERALS LTD. & ORS. Petitioner(s)

VERSUS

MAHENDRA SINGH KHAMESARA & ORS. Respondent(s)

Date : 08-05-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE N.V. ANJARIA
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Ms. Aruna Gupta, AOR
Mr. Ramesh Allanki, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

Heard Ms. Aruna Gupta, learned counsel appearing for the petitioners.

2. The Special Leave Petition is directed against a judgment and order dated 16.02.2026 passed by the High Court of Judicature for Rajasthan at Jodhpur whereby the Division Bench has confirmed the order of learned Single Judge dated 03.07.2025 whereby learned Single Judge allowed the petition of the respondent and directed refund of the amount which was withheld along with interest.

3. The case of the petitioners is *inter alia* that the amounts of provide fund contribution towards

leave encashment were wrongly released in favour of the respondents.

4. The High Court relied on the decisions of this Court in *State of Punjab v. Rafiq Masih*, [(2015) 4 SCC 334] and in *Jogeshwar Sahoo & Ors. v. The District Judge, the Cuttack & Ors.*, [2025 5 SCR 13] to hold that the recovery of the amount from the respondents was not permissible in law.

5. In the overall consideration, this Court is in agreement with the decision rendered by the High Court. The Special Leave Petition is not required to be entertained and is, accordingly, dismissed.

Question of law, if any, is kept open to be considered in an appropriate case.

Pending application(s), if any, shall also stand disposed of.

(NISHA KHULBEY)
COURT MASTER(SH)

(MANOJ KUMAR)
COURT MASTER(NSH)