

ITEM NO.6

COURT NO.8

SECTION XV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10102/2025

[Arising out of impugned final judgment and order dated 18-09-2023 in DBWR No. 106/2022 passed by the High Court of Judicature for Rajasthan at Jodhpur]

STATE OF RAJASTHAN

Petitioner(s)

VERSUS

OMPRAKASH & ORS.

Respondent(s)

(IA No. 165814/2025 - CONDONATION OF DELAY IN FILING, IA No. 165815/2025 - CONDONATION OF DELAY IN REILING / CURING THE DEFECTS, IA No. 165813/2025 - EXEMPTION FROM FILING O.T.)

Date : 25-07-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) Ms. Nidhi Jaswal, AOR
Mr. Rustam Singh Chauhan, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the petitioner-State.

The petitioner-State has approached this Court against the order dated 18.09.2023 whereby their writ restoration petition(s)/application(s) was dismissed by the High Court on the ground of delay and latches. The brief facts of the case are that in a writ petition an order was passed as far back as on 06.09.2017 which went against the State Government. The petitioner-State preferred a Special Appeal Writ in which an order dated 26.09.2019 directed the State to cure the defects within two weeks failing

which the appeal will be dismissed. Since the order dated 26.09.2019 was not complied with, the appeal was accordingly dismissed. The petitioner-State then sought a writ restoration application to restore the above appeal but there was an inordinate delay of 1098 days and the same was dismissed on that ground by the Division Bench of the High Court. Even here the petitioner-State has approached this Court with a delay of 433 days, for which no plausible explanation is being given.

Considering the conduct of the State authorities and the inordinate delay therein we dismiss this petition on the ground of delay and laches.

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

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR