

(2010) 09 RAJ CK 0034

In the Rajasthan High Court

Case No : Civil Miscellaneous Stay Application No. 5509 of 2010 in Civil Special Appeal (Writ) No. 512 of 2010 in Civil Writ Petition No. 12434 of 2010.

Rajendra Singh Bhamboo

APPELLANT

Vs

The State of Rajasthan and Others

RESPONDENT

Date of Decision : 24-09-2010

Acts Referred:

Citation : (2010) 09 RAJ CK 0034

Hon'ble Judges : Jagdish Bhalla, C.J.; Mohammad Rafiq, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. This appeal is wholly misconceived because when the writ petition was filed before the learned Single Bench, petitioner himself argued the matter and sought direction from the learned Single Bench to direct the respondents to decide the representation of the petitioner by a reasoned and speaking order in a time bound manner. Learned Single Judge accepting that prayer of the petitioner disposed of the writ petition with directions that if petitioner submits representation before the respondents, then they shall decide the same within one month by passing a specific and reasoned order. Now, petitioner appearing in person has argued the matter on merits.

2. In our view, when no arguments were advanced before the learned Single Bench and petitioner himself prayed for making a representation which prayer of the petitioner was accepted by the learned Single Judge, the order of the learned Single Judge cannot be said to suffer from any infirmity so as to warrant our interference.

3. The appeal is therefore dismissed being devoid of merit.

4. Consequent upon dismissal of the special appeal, this stay application does not survive and the same is accordingly rejected.