

(2017) 02 RAJ CK 0089
In the Rajasthan High Court
Case No : 71 of 2007

State of Rajasthan

APPELLANT

Vs

Narender Singh Udawat

RESPONDENT

Date of Decision : 23-02-2017

Acts Referred:

Citation : (2017) 02 RAJ CK 0089

Hon'ble Judges : Dinesh Mehta

Bench : SINGLE BENCH

Advocate : Sanjay Raj Paliwal

Judgement

1. By way of this appeal, the appellant State has challenged order of learned Single Judge dated 16.02.2005 whereby the learned Single Judge has affirmed the order dated 28.05.2003 passed by the Rajasthan Civil Services Appellate Tribunal, dismissing the writ petition preferred by the State.

2. This Court while admitting the matter on 16 th January 2007 has passed following order:

"Admit. Issue notice. Mr Mukesh Rajpurohit accepts the notice on behalf of the respondent No.1. Notices may not be issued to respondent No.2 afresh. In terms of the order

passed by the Supreme Court in various transfer applications moved before the Supreme Court raising same issue, the hearing of this writ petition shall remain in abeyance until the decision of SLP(C) 5654/05 & other connected matters by the Supreme Court."

3. Learned counsel for the appellants states that said SLP was

later converted into Civil Appeal No.3631/2007, which was decided along with group of matters and decision is reported in (2009) 12 SCC 49 - State of Rajasthan & others v. Jagdish Narain Chaturvedi etc and contended that in view of the decision delivered by the Supreme Court, this appeal deserves to be allowed.

4. Though none appeared for the respondents, the parties will be governed by the aforesaid decision rendered by the Supreme Court in the matter. In light of judgment of the Hon''ble Supreme Court in the case of Jagdish Narain Chaturvedi (supra), the appeal is allowed to that extent.