

(2020) 02 RAJ CK 0337
In the Rajasthan High Court
Case No : Civil Writ Petition No. 14049 Of 2019

Topa Ram Barecha And Ors	Vs	APPELLANT
State Of Rajasthan And Ors		RESPONDENT

Date of Decision : 19-02-2020

Acts Referred:

Citation : (2020) 02 RAJ CK 0337

Hon'ble Judges : Dinesh Mehta , J

Bench : Single Bench

Advocate : Manoj Bhandari, Bharat Devasee

Final Decision : Allowed

Judgement

I. A. No.01/2020 :

The matter comes upon an application filed by the petitioner seeking disposal of the writ petition in light of judgment dated 06.11.2019 rendered in the case of Shivnath Misra Vs. State of Rajasthan : SB Civil Writ Petition No.14215/2019.

For the reasons stated, the application is allowed. Matter is taken up for consideration today itself.

Learned counsel for the petitioner submits that the issue raised in the present writ petition is squarely covered by judgment of this Court in Dr. Babu

Lal Sharma & Ors. v. The State of Rajasthan & Ors. : D.B. Special Appeal (Writ) No. 81/2019, decided on 31.07.2019 at Jaipur Bench, wherein, the appeal filed against the petition, which was dismissed by the Single Judge, has been allowed.

Learned counsel for the respondent-State is not in a position to dispute the above position of facts and law.

In the case of Dr. Babu Lal Sharma (supra), it was directed by the Division Bench as under:-

“We are therefore persuaded to allow this appeal. Ordered accordingly. The impugned order of the learned Single Judge dated 15.12.2018 is set

aside. The writ petition of the petitioners/appellants is allowed. The respondents are directed to pay arrears to the petitioners/appellants for the period

from 01.01.2006 to 30.06.2012 as a result of promulgation of the Rules of 2012 within a period of three months from the date a copy of this order is

produced before them.”

In view of the submissions made by learned counsel for the parties, the petition filed by the petitioner is allowed. The respondents are directed to pay

arrears to the petitioner for the period from 01.01.2006 to 04.09.2010 as a result of promulgation of Rules of 2012 within a period of three months

from the date a copy of this order is produced before them.

Stay application also stands disposed of.