

State of Rajasthan and anr. Vs. Budh Singh and ors.

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Court : Rajasthan

Decided On : Jul-31-2003

Reported in : RLW2004(1)Raj148; 2003(4)WLC115

Judge : Ashok Parihar, J.

Acts : [Constitution of India](#) - Articles 226 and 227

Appeal No. : S.B. Civil Writ Petition No. 5780 of 2000

Appellant : State of Rajasthan and anr.

Respondent : Budh Singh and ors.

Advocate for Def. : C.L. Saini, Adv.

Advocate for Pet/Ap. : M.C. Gupta, Adv.

Disposition : Writ petition dismissed

Judgement :

Parihar, J.

1. Petitioners have challenged the order dated 24.4.2000 passed by the Rajasthan Non-Government Educational Institutions Tribunal, Jaipur, by which respondent No. 1 has been ordered to be given certain benefits.

2. The directions for making payment had been issued only to respondent No. 2, the Institution where the concerned employee had been working. No directions, whatsoever, have been issued so far as the present petitioners are concerned. It is not known as to how the petitioners are aggrieved by the order of the Tribunal. The present writ petition appears to be a sheer misuse of due process of law not only wasting the time of this court, but also putting the State exchequer with unnecessary cost of the litigation. It seems that the concerned officers who gave approval for filing the present writ petition, acted in just mechanical manner without any application of mind. Filing of writ petition by the Government departments by way of formality is highly depreciable.

3. The writ petition is dismissed accordingly as having no merits with a cost of Rs. 10,000/- to be paid to respondent No. 1. The cost be recovered from the concerned officers who gave approval for filing the present writ petition. The cost be paid within 30 days from the date of receipt of certified copy of this order. A copy of this order may also be sent to the Chief Secretary of the State for information and further necessary directions to all the concerning authorities.