

The State Of Rajasthan vs Pankaj Sharma on 22 October, 2021

Bench: Sanjay Kishan Kaul, M.M. Sundresh

1

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6395/2021
[@ SLP (C) No.20176/2019]

THE STATE OF RAJASTHAN & ORS.

Appell

VERSUS

PANKAJ SHARMA

Respon

O R D E R

Leave granted.

We have examined the additional documents filed by the appellant which include the copy of the admit card. The admit card does indicate the date as 6 th September, 2018, an aspect we wanted to verify in terms of our order dated 09.09.2021. However, it has been stated that it was uploaded on the Police website on 31.08.2018 as per annexure P-2. The requirement was that there would be updated material provided on the website which was notice enough.

In view of the aforesaid facts emerging along with what we have recorded in our order dated 09.09.2021, the respondent must accept the fault of not having perused the site in question and apparently downloaded the information only at the Reason: nth minute.

We are thus, of the view that the impugned order cannot be sustained and is accordingly set aside and the Writ Petition filed by the respondent shall stand dismissed.

The appeal is accordingly allowed leaving parties to bear their own costs.

.....J. [SANJAY KISHAN KAUL]J.
[M.M. SUNDRESH] NEW DELHI;

OCTOBER 22, 2021.

ITEM NO.21

Court 6 (Video Conferencing)

SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 20176/2019

(Arising out of impugned final judgment and order dated 30-01-2019 in DBSAW No. 117/2019 passed by the High Court Of Judicature For Rajasthan At Jodhpur) THE STATE OF RAJASTHAN & ORS. Petitioner(s) VERSUS PANKAJ SHARMA Respondent(s) Date : 22-10-2021 This petition was called on for hearing today. CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL HON'BLE MR. JUSTICE M.M. SUNDRESH For Petitioner(s) Mr. Vishal Meghwal, Adv.

Mr. Milind Kumar, AOR For Respondent(s) Mr. Shreyansh Mardia, Adv.

Mr. Chandrashekhar A. Chakalabbi, Adv. Mr. Awanish Kumar, Adv.

Mr. Shiv Kumar Pandey, Adv. Mr. Anshul Rai, Adv.

Mr. Abhinav Garg, Adv.

M/S. Dharmaprabhas Law Associates, AOR UPON hearing the counsel the Court made the following O R D E R Leave granted.

The appeal is allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL) (POONAM VAID) ASTT. REGISTRAR-cum-PS COURT MASTER (NSH) [Signed order is placed on the file]