

Rajasthan High Court - Jodhpur

State Of Raj. & Ors vs Praveen Sonal on 3 February, 2010

D.B. CIVIL SPECIAL APPEAL (W) NO.5/2010 State of Rajasthan & Ors.

Vs.

Praveen Sonal

Date of Order        ::        03-02-2010

HON'BLE THE CHIEF JUSTICE MR. JAGDISH BHALLA HON'BLE MR. JUSTICE DINESH MAHESHWARI Mr. K.K. Bissa, for the appellant-State.

It has been argued on behalf of the State that the learned Single Judge has erred in relying upon a judgment because the facts were not the same; and the ratio of judgment will apply only when the facts are same. We are of the considered view that the ratio will apply on similarity of facts.

We have perused the order of the learned Single judge and we find that the writ petition has been decided on the basis of ratio laid down by the Division Bench of this Court. We do not find any illegality in the order of the learned Single Judge so as to show interference by this Court in appeal.

No other point has been argued by Shri K.K. Bissa, counsel for the State.

Accordingly, the appeal fails and is dismissed. [DINESH MAHESHWARI],J. [JAGDISH BHALLA], CJ. Praveen