

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN  
AT JAIPUR BENCH

ORDER

S.B CIVIL REVIEW PETITION NO. 248/2016  
IN  
S.B CIVIL WRIT PETITION NO. 8020/2014

Mrs. Shashi Choudhary D/o Shri Pyare Lal Choudhary, R/o C-27, Vidhan Sabha Colony, Murlipura Scheme, Jaipur.

**...Petitioner**

**Versus**

1. State of Rajasthan through Principal Secretary, Industries-cum-Chairman, Bureau of Investment of Promotion, Udyog Bhawan, Tilak Marg, Jaipur (Rajasthan).
2. The Commissioner, Bureau of Investment of Promotion, Udyog Bhawan, Tilak Marg, Jaipur (Raj.)
3. The Chief General Manager (F&A), Bureau of Investment of Promotion, Udyog Bhawan, Tilak Marg, Jaipur. (Rajasthan).

**...Respondents**

Date of Order: January 31, 2017.

PRESENT

HON'BLE MR. JUSTICE ALOK SHARMA

Ms. Naina Saraf, for the petitioner.

Mr. Ashish Sharma on behalf of

Mr. Rajendra Prasad, AAG for the State.

BY THE COURT:

The matter comes up on an application for recall of the order dated 22-7-2015 passed in SBCWP No.8020/2014.

For the reasons mentioned in the application for condoning the delay in filing the application for recall of the order, the delay is condoned.

Heard counsel for the petitioner on the application for recall.

I am of the considered view that there is no occasion to recall

or modify the order dated 22-7-2015 as a mere recording of the words "shorthand and typing speed at 140/40" instead of 120/40 is of little consequence to the order dated 22-7-2015 on its merits.

Ms. Naina Saraf submitted that the order be at least modified to exclude the consent of the petitioner to petitioner's removal in the event of failing the shorthand and typing speed test. She submitted that the petitioner's consent will obstruct the petitioner's right to challenge the order of her removal since passed on 30-11-2016.

I am of the considered view that there is no force in the contention of counsel for the petitioner nor any reason for apprehension about being prevented from taking a remedy against an order of removal from service or otherwise which the petitioner perceives to be illegal. The words "To this Counsel for the petitioner agree" on page no.8 of the order in issue only entail the agreement of the counsel to the consequence of failure in shorthand/typing speed. That is wholly different from the remedy which the petitioners may have in law thereagainst. In my considered view the order dated 22-7-2015 does not entail any consent on behalf of the petitioner's counsel undertaking that the petitioner would abandon her remedy against any subsequent order of her termination.

The application stands disposed of accordingly.

(Alok Sharma), J.

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All corrections made in the order have been incorporated in the order being emailed.

Arun Kumar Sharma, Private Secretary.