

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Writ Restoration No. 5/2026

Bhikamchand Kalal S/o Shri Gulab Chand Kalal, Aged About 58
Years, Resident Of Sardar Patel Nagar, Pali, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The District Collector, Pali.
2. Municipal Council, Pali Through Its Commissioner.

-----Respondents

For Petitioner(s) : Mr. Mahaveer Singh Rathore.

For Respondent(s) : -

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

Having heard learned counsel for the applicant-petitioner and upon perusal of the daily order-sheets of S.B. Civil Writ Petition No. 2792/2017, this Court finds that the learned counsel, who had been appearing for the petitioner for about nine years, pleaded no instructions before this Court on 16.10.2025. Thereafter, on subsequent dates, none appeared on behalf of the petitioner and, in these circumstances, the writ petition came to be dismissed for want of prosecution.

Learned counsel for the applicant-petitioner submitted that, as a matter of fact, the learned counsel, who was representing the petitioner in S.B. Civil Writ Petition No. 2792/2017, never informed the petitioner that he had pleaded no instructions, and there is no material on record to indicate that the instructions given by the petitioner to the said counsel were ever withdrawn.

Learned counsel, therefore, prayed that the writ petition be restored to its original number, failing which the petitioner would suffer irreparable hardship and apprehends dispossession from the land in dispute.

Having considered the submissions made and upon perusal of the record, this Court deems it just and proper to restore the writ petition.

Consequently, the restoration application is allowed. The Registry is directed to restore S.B. Civil Writ Petition No. 2792/2017 to its original number, subject to payment of costs of Rs. 3,000/- by the petitioner with the Rajasthan High Court Lawyers' Association, Jodhpur, within a period of two days. Upon production of the receipt evidencing such payment by the petitioner or his counsel, the writ petition shall stand restored to its original number.

Upon restoration of the writ petition, i.e., S.B. Civil Writ Petition No. 2792/2017, the same be listed before this Court on 06.04.2026 at 02:00 PM.

(KULDEEP MATHUR),J