

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

S.B. Civil Writ Petition No. 1270/2026

1. Kala Ram S/o Shivji Ram, Aged About 60 Years, Resident Of Bhooniya, Tehsil Dhanau, District Barmer, Raj.
2. Bilal S/o Badal, Aged About 47 Years, Resident Of Bhooniya, Tehsil Dhanau, District Barmer, Raj.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Panchayati Raj, Government Of Rajasthan, Jaipur, Raj.
2. The Additional District Collector, Barmer, Raj.
3. The Tehsildar, Tehsil Dhanau, District Barmer, Raj.
4. The Village Development Officer, Gram Panchayat Bhooniya, Panchayat Samiti Dhanau, District Barmer, Raj.
5. Gram Panchayat Bhooniya, Through Sarpanch, Panchayat Samiti Dhanau, Tehsil Dhanau, District Barmer, Raj.
6. Prakash Bishnoi S/o Surta Ram Bishnoi, Resident Of Lachhiye Ka Tala, Tehsil Dhanau, District Barmer, Raj.
7. Adarsh Shikshan Samiti, Barmer Through Its Vice President Krishna Kumar S/o Jeevraj, Resident Of Sundar Nagar, Chohtan, Barmer, Raj.

-----Respondents

Connected With

S.B. Civil Writ Petition No. 24786/2025

1. Kala Ram S/o Shivji Ram, Aged About 60 Years, Resident Of Bhooniya, Tehsil Dhanau, District Barmer (Raj.).
2. Bilal S/o Badal, Aged About 47 Years, Resident Of Bhooniya, Tehsil Dhanau, District Barmer (Raj.).

-----Petitioners

Versus

1. State Of Rajasthan, Through The Additional District Collector, Barmer (Raj.).
2. Gram Panchayat Bhooniya, Through Sarpanch, Panchayat Samiti Dhanau, Tehsil Dhanau, District Barmer, (Raj.).
3. Jetha Ram S/o Jasa Ram, Lachhiye Ka Tala, Tehsil

Dhanau, District Barmer, (Raj.).

4. Adarsh Shikshan Samiti Barmer, Through Its Vice President Krishna Kumar S/o Jeevraj, Resident Of Sundar Nagar, Chohtan, Barmer (Raj.).

----Respondents

For Petitioner(s)	:	Mr. Sanjay Nahar
For Respondent(s)	:	Mr. Raghunath Bishnoi

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Petitioners have filed the present writ petition challenging the order dated 02.12.2025 (Annex.13) whereby the revision petition filed by the petitioners was rejected. While challenging the said order, it was submitted by learned counsel for the petitioners that in the present case the pattas in question were issued by Gram Panchayat while exercising power under Rule 157 of the Rajasthan Panchayati Raj Rules, 1996 (hereinafter, referred as 'Rules of 1996'). It is submitted that in the present case the patta has been issued in complete violation of Rules 148 and 157 of the Rules of 1996. It is submitted that as per Rule 148, 30 days' notice is mandatory for inviting objections, however, in the present case only 7 days' notice was issued. As far as Rule 157 is concerned it mandates that the patta of a residential house can be issued provided that such construction is in existence for more than 50 years.

2. It is further submitted that in the present case the inspection report does not indicate any old possession nor indicate any house existing at the time when the inspection was carried out.

3. Based on the above arguments, it is contended that learned Revisional Court committed a serious error in dismissing the revision petition.

4. Learned counsel appearing on caveat on behalf of respondent No.7, vehemently opposes and submits that the pattas were issued after following the due process of law. Rule 148 of Rules of 1996 mandates that period for inviting objections shall be one month, however, the proviso to the said Rule states that if the patta is issued under Rajasv Scheme then the period for inviting objections shall be 7 days.

5. It is further stated that the pattas were rightly issued under Rule 157 as there was an old temporary house and pattas can be issued even if there is no permanent house.

6. Considering the submissions made by respective parties, issue notice of the writ petition as well as of the stay application to the respondents, returnable within a period of four weeks.

7. Notices need not be issued to respondent No.7 as respondent No.7 is being represented by the counsel appearing on caveat.

8. Let notices be issued to other respondents.

9. Meanwhile, status quo, as it exists today, shall be maintained by the parties.

(SANJEET PUROHIT),J