



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

D.B. Writ Contempt No. 228/2026

1. Mangi Lal S/o Shri Dungan Singh, Aged About 57 Years, R/o Talariya Para, District Jaisalmer, Rajasthan.
2. Tanerav Singh S/o Shri Kilan Singh, Aged About 49 Years, R/o Village Poonam Nagar, Tehsil And District Jaisalmer, Rajasthan.

-----Petitioners

Versus

1. Shri Praveen Gupta, Principal Secretary, Public Work Department, Jaipur, Rajasthan.
2. Shri Pratap Singh Nathawat, District Collector, Jaisalmer, Rajasthan.
3. Shri Lajpal Singh Sodha, Commissioner, Nagar Parishad, Jaisalmer.
4. Shri Rashmi Rani, Chief Executive Officer, Zila Parishad, Jaisalmer, Rajasthan.
5. State Of Rajasthan, Through The Principal Secretary, Public Work Department, Jaipur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Manvendra Singh with Mr. Bhawani Shankar Choudhary
For Respondent(s)	:	Mr. Rajesh Panwar, Sr. Adv.-cum-AAG Mr. Ayush Gehlot Mr. Rakesh Sharma

HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE SUNIL BENIWAL
Order(Oral)

24/03/2026

Per: Arun Monga, J.

1. The petitioners have approached this Court alleging non-compliance of the order dated 11.09.2013 (Annexure-C/2) passed by the Co-ordinate Bench of this Court whereby their writ petition was disposed of observing that the allotment/transfer of land of Shaheed Poonam Singh Stadium, Jaisalmer city, for the purpose other than sports and cultural activities cannot be made a regular feature, so as to destroy the character of the Stadium.

2. It is stated in the petition and so is the argument of learned counsel for the petitioner, that despite aforesaid observations/directions issued by this Court, Stadium in question continues to be misused by the respondent authorities for political activities and car parking. The respondents have initiated steps to alter the very character of the said stadium by proposing development of a Multi-Level Car Parking and Commercial Complex. The petitioner, being aggrieved, submitted multiple representations dated 16.06.2025 and 04.07.2025, objecting to such actions; however, no action has been taken by the authorities.

2.1 He would argue that the continued inaction and conduct of the respondents demonstrate a willful and deliberate disobedience of the binding order of this Court. The respondents have intentionally failed to comply with the directions issued in the aforesaid writ petition, thereby *prima facie* committing contempt of court.

3. Notice of the instant contempt petition was issued to the respondents. Pursuant thereto, a reply/response has been filed.

4. For ready reference, relevant portion of the stand taken by the respondents in preliminary submissions is reproduced hereinbelow:

"XXXX

XXX

XXXX

COMPLIANCE WITH PLANNING REGULATIONS

19. That in view of the above policy decision and regulatory framework, Municipal Council, Jaisalmer proposed development of the underground parking facility in the southern portion of Shaheed Poonam Singh Stadium strictly in accordance with the provisions and norms determined planning authorities. by the competent

20. That it is respectfully submitted that the project has been formulated in such a manner that:

- a) Only limited commercial use up to 10% of the permissible built-up area has been proposed, strictly in accordance with the provisions permitted by the State Government.
- b) The primary character and functioning of the stadium as a sports facility remains completely unaffected.
- c) The stadium premises will continue to remain available for sports activities and public use, and the proposed development is restricted only to the permissible portion as allowed under the applicable regulations.
- d) That the answering respondent has ensured that the sports infrastructure and activities within the stadium are preserved and protected, and the proposed development does not interfere with or diminish the utility of the stadium as a public sports facility.

NO VIOLATION OF COURT ORDER

21. That it is respectfully submitted that the order dated 11.09.2013 passed by this Hon'ble Court did not impose any absolute prohibition on development or public utility works within the stadium premises.

22. That the Hon'ble Court had only observed that transfer or allotment of stadium land for purposes other than sports and cultural activities should not become a regular feature so as to destroy the character of the stadium.

23. That the answering respondents submit that the present proposal:

- a) is part of a State policy decision arising from a budget announcement,
- b) has been examined and approved by competent planning authorities,
- c) is intended to serve a public purpose, and
- d) does not destroy or adversely affect the character or functioning of the stadium.

24. Thus, the proposal has been processed strictly in accordance with statutory regulations, policy decisions and approvals of the competent authorities, and there has been no deliberate or willful disobedience of the order of this Hon'ble Court."

5. Apropos, a rejoinder affidavit has also been filed wherein stand taken is that:

"8. That the averments made in paragraphs no. 19 to 20 of the reply to the contempt petition are not admitted and hence denied. The commercial exploitation of stadium land under the guise of development cannot be equated with public utility, as revenue generation or commercial benefit cannot override the specific public purpose for which the land was earmarked, especially when such use adversely affects sports infrastructure. That furthermore, a stadium's primary identity is a place for sport, physical activity, and community due to pride; which the commercial activities can overshadow sporting events and can make the venue feel more like a marketplace, than a stadium. Therefore, a commercial complex will likely attract high vehicle volume throughout the day and not just during matches, which can

increase congestion and reduce safety around stadium entrances/exits.”

6. In the aforesaid back drop, heard and perused the file.
7. Having regard to the contents of the compliance report filed in response to the petition, we are of the view that the proposed construction of a building for parking approximately 400 vehicles on land forming part of the stadium does not alter the nature of the stadium. Although one floor of the proposed four-storey structure is earmarked for commercial use, it is stated that the same forms part of a public-private partnership arrangement, with the revenue generated being utilized for the maintenance of the parking facility. The proposed parking facility is also likely to decongest the surrounding roads, where adequate parking is presently lacking.
8. Apart from the above, the facility would also support and facilitate the activities of the stadium, where various sporting events are conducted.
9. It appears that the apprehension of the petitioner regarding deliberate violation of this Court's order dated 11.09.2013 (Annexure C/2), which prohibits any change in the nature of the stadium, is/was unfounded.
10. No further proceedings are warranted. Contempt notice stands discharged.
11. The contempt petition and any pending application stand disposed of accordingly.

(SUNIL BENIWAL),J

(ARUN MONGA),J