

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

S.B. Civil Writ Petition No. 2942/2026

1. Rehamtulla S/o Late Chandesar Khan, Aged About 44 Years, Hariyar Tehsil Pokran District Jaisalmer Rajasthan.
2. Smt. Rajo W/o Rehamtulla, Aged About 40 Years, Hariyar Tehsil Pokran District Jaisalmer Rajasthan.
3. Mubarak Khan S/o Rehamtulla, Aged About 22 Years, Hariyar Tehsil Pokran District Jaisalmer Rajasthan.
4. Sher Khan S/o Rehamtulla, Aged About 20 Years, Hariyar, Tehsil Pokran District Jaisalmer Rajasthan.
5. Mahaveer Khan S/o Rehamtulla, Aged About 18 Years, Hariyar, Tehsil Pokran District Jaisalmer Rajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through Commissioner Colonization, Bikaner Rajasthan.
2. The Dy. Commissioner, Colonization Ignp Nachana Distt Jaisalmer.
3. The Colonization Tehsildar, Mohangarh No. 2, Distt. Jaisalmer Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Sharwan Singh Nirban
For Respondent(s)	:	---

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

09/02/2026

1. Learned counsel for the petitioner, at the outset, submits that identical matter involving the identical issue, has been disposed of by this Court in Jannat & Ors. Vs. State of Rajasthan & Ors.: S.B. Civil Writ Petition No.16992/2018, decided on 01.11.2018 and prayed that similar order be passed in the present case also. The order dated 01.11.2018 reads thus:-

"Heard learned counsel for the petitioners.

Perused the material available on record.

The petitioners claim to be in possession of a chunk of agricultural land in the village Nachana, District Jaisalmer through their ancestors, who were allegedly cultivating the land even before the enactment of the Rajasthan Land Revenue Act, 1956. The petitioners received a notice under Section 22 of the Rajasthan Colonization Act treating them to be trespassers over the said chunk of land. They filed a suit for declaration under Sections 88, 188 read with Section 15 of the Rajasthan Tenancy Act; and Sections 125 and 136 of the Land Revenue Act seeking a direction for declaration of their rights on the land in question. Alongwith the suit, they also filed an application for injunction under Section 212 of the Rajasthan Tenancy Act read with Section 151 C.P.C.

A grievance is raised by the petitioners that on the one hand, the Dy. Commissioner (Colonization), IGNP, Nachana, District Jaisalmer is sitting tight over the petitioners' suit and the injunction application and at the same time, the respondent authorities are bent upon to dispossess the petitioners from the land in question on which, they claimed entitlement by virtue of old possession.

Having regard to the peculiar facts and circumstances of the case, the Dy. Commissioner (Colonization), IGNP, Nachana before whom, the suit as well as injunction application of the petitioners are pending, is directed to expedite the proceedings of the suit and injunction application and shall try to conclude the same within a period of one year from the date of submission of copy of this order. Till the petitioners' suit and injunction application are decided, they shall not be dispossessed from the land in question. The writ petition as well as stay applications are disposed of in these terms."

2. In view of the aforequoted order, the present writ petition is also disposed of with a direction to the Deputy Commissioner Colonization, IGNP, Nachna, District Jaisalmer before whom, the suit as well as injunction application of the petitioners is pending, is directed to expedite the proceedings of the suit and injunction application and shall try to conclude the same within a period of one year from the date of submission of copy of this order. Till the

petitioner's suit and injunction application are decided, he shall not be dispossessed from the land in question.

3. All pending applications also stand disposed of.

(KULDEEP MATHUR),J

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