

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

S.B. Civil Writ Petition No. 3113/2026

1. Ramesh Chandra Soni S/o Shri Vishnudutt Ji, Aged About 38 Years, Resident Of Jhadoli, Tehsil Pindwara, District Sirohi.
2. Shrikant Soni S/o Shri Vishnudutt Ji, Aged About 35 Years, Resident Of Jhadoli, Tehsil Pindwara, District Sirohi.

-----Petitioners

Versus

1. The District Collector, Sirohi.
2. Atul Kumar S/o Shri Panachand Mehta, Resident Of Jhadoli, At Present Residing At 17, Dhanlakshmi Market, Rewri Bazar, Ahmedabad Gujarat.
3. Sanjay Kumar S/o Panachand Ji Mehta, Resident Of Jhadoli, At Present Residing At 17, Dhanlakshmi Market, Rewri Bazar, Ahmedabad Gujarat.
4. Shri Saha Ranjeet Kumar S/o Bherulal, Resident Of Jhadoli, At Present Residing At K-9, Sujata Flat, Sahi Bag, Ahmedabad Gujarat.
5. Shah Champalal S/o Bherulal, Resident Of Jhadoli, At Present Residing At J-10, sujata Flat, Sahi Bag, Ahmedabad Gujarat.
6. Ramanlal S/o Bherulal, Resident Of Jhadoli, At Present Residing At A-10, Nakoda Park Society, Near Sujata Flat, Sahi Bag, Ahmedabad Gujarat.
7. Gram Panchayat Jhadoli, Through Its Sarpanch, Gram Panchayat Jhadoli, Tehsil Pindwara, District Sirohi.

-----Respondents

For Petitioner(s)	:	Mr. Aidan Choudhary
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

12/02/2026

By way of filing the present civil writ petition, the petitioners have prayed for the following reliefs:-

'It is, therefore, humbly and respectfully prayed on behalf of the petitioner that this writ petition of the petitioners may kindly be allowed and:

I. Issue an appropriate writ, order, or direction quashing and setting aside the impugned order dated 22.12.2025 (Annex-10) passed by learned District Collector, Sirohi in Panchayat Revision No.43/2023. (Annex-7)

II. Issue an appropriate writ, order or direction, thereby allowing the Panchayat Revision preferred by the petitioners (Annex-7) and consequently cancelling/setting aside Proposal No.16 dated 19.06.1979 along with the adjustment made in Patta No.101. (Annex-4)

III. Any other appropriate writ, order or direction which this Hon'ble Court may deem just and proper may kindly be passed in favour of the petitioner."

2. Having heard learned counsel for the petitioners and upon perusal of the material available on record, this Court finds that the patta issued in favour of the ancestors of the private respondents in the year 1976 was challenged by the petitioners by way of a revision petition filed in the year 2023. The challenge was made on the ground that the ancestors/predecessors of the private respondents had allegedly encroached upon the land in question and that the said patta had been issued without following due process of law.

3. When queried by this Court regarding the inordinate delay in filing the revision petition seeking cancellation of a patta issued in the year 1979, particularly when the possession of the private respondents' ancestors over the land dates back to the year 1949, learned counsel for the petitioners submitted that no period of limitation is prescribed under the Panchayati Raj Act for filing a revision petition. It was further contended that the cause of action arose only in the year 2022, when the private respondents, on the

strength of the disputed patta, attempted to raise construction over the land.

4. This Court finds that the disputed patta has remained in existence for more than four decades. Even if no specific period of limitation is prescribed under the Panchayati Raj Act to challenge such a patta, the petitioners cannot be permitted to unsettle a long-settled position after a lapse of 40 years without furnishing any cogent explanation for not assailing the same for such an extended period. Nothing has been placed on record to demonstrate that the private respondents or their predecessors obtained the patta by fraud or misrepresentation. On the contrary, it appears that although the patta was formally issued in the year 1979, the land in question had been in possession of the private respondents' predecessors since 1949.

5. In the considered opinion of this Court, the long and continuous enjoyment of the property by the private respondents on the basis of a duly issued patta renders the proceedings initiated for its cancellation wholly untenable and improper

6. Consequently, the present writ petition as well as stay application is disposed of.

(KULDEEP MATHUR),J