

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

S.B. Civil Writ Petition No. 3894/2026

Swami Amra Nand Bharti, Chela Of Swami Shri Vishokanand Bharti, Aged About 40 Years, Resident Of 972, Kot Gate, Near Sabji Mandi, Bikaner, Presently Residing At Shri Amreshwar Mahadev Mandir And Shiv Dhuna, Shri Krishna Nagar, Chadi, Tehsil Aau, District Phalodi (Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur.
2. District Collector, Phalodi (Raj.).
3. Tehsildar, Aau, District Phalodi (Raj.).

-----Respondents

For Petitioner(s) : Mr. Moti Singh

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

23/02/2026

1. Present writ petition is filed challenging the notice issued under Section 91 of the Rajasthan Land Revenue Act, 1956 alleging that petitioner has encroached over the land bearing Khasra No. 1561 ad-measuring 5.6251 hectare recorded as '*gair mumkin oran*'.

2. Learned counsel for petitioner by placing reliance upon photographs stated that around 2,000 fully grown trees are existing on the site and a small old temple is also existing upon said land of oran.

3. Learned counsel for petitioner submits that apart from the same, no other '*pakka*' construction has been done over the said '*gair mumkin oran*'.

4. Be that as it may, this Court does not find appropriate to enter into the said factual aspect as the same is to be decided by the competent authority in the proceedings initiated under Section 91 of Rajasthan Land Revenue Act, 1956.

5. Petitioner is at liberty to file a detailed reply to notice impugned dated 16.01.2026 (Annexure-3) while placing on record, the material which has been filed along with present writ petition.

6. The competent authority shall decide the said issue strictly in accordance with law within a period of two months from the date of filing of reply. Till the time proceedings are finally decided, status quo with regard to land in question, shall be maintained by parties.

7. Interim order passed by this Court shall remain in currency strictly only for fifteen days after passing of final order by the competent authority. In the meantime, petitioner shall be at liberty to take recourse available under law. However, it is made clear that authorities shall decide the issue involved strictly in accordance with law without being influenced by the fact that interim relief has been granted by this Court.

8. With these observations, present writ petition is **disposed of.**

9. Stay application and all pending applications, if any, stand disposed of.

(SANJEET PUROHIT),J