

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

S.B. Civil Writ Petition No. 3771/2026

Kailash Nath S/o Shri Madhu Nath, Aged About 65 Years,
Resident Of Kachhola Tehsil Mandalgarh District Bhilwara.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue, Government Of Rajasthan, Secretariat, Jaipur.
2. The District Collector, Bhilwara.
3. The Sub Divisional Officer, Mandalgarh, District Bhilwara.
4. The Tehsildar (Revenue), Kachhola District Bhilwara.
5. Gram Panchayat Kachhola, Panchayat Samiti Mandalgarh District Bhilwara Through Village Development Officer.

-----Respondents

For Petitioner(s) : Mr. Raghuveer Singh

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. By way of filing the present writ petition, the petitioner has prayed for the following reliefs:

"It is, therefore, most humbly and respectfully prayed that this writ petition may kindly be allowed and, by an appropriate writ, order or direction:

(i) The notice dated 28.01.2026 (Annexure-4) issued by Respondent No.4 may kindly be declared illegal, arbitrary and unjust, and the same may kindly be quashed and set aside.

(ii) The respondents may kindly be restrained from demolishing the houses of the petitioner situated over the plot admeasuring 30 x 45 feet.

(iii) The respondents may kindly be restrained from evicting the petitioner from his plot/houses situated in Village Kachhola, Tehsil Mandalgarh, District Bhilwara.

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

2. Learned counsel for the petitioner submitted that the Gram Panchayat, Kachhola, had issued Patta No. 45/1995-96 dated 15.10.1995 in favour of Smt. Bhuri W/o Shri Gopal Meena for a plot measuring 30 x 45 feet. The petitioner, on the basis of the said patta dated 15.10.1995, is in possession of the land in dispute.

3. Learned counsel further submitted that, to the utter disbelief and surprise of the petitioner, despite possessing a valid patta, Respondent No. 4, i.e., the Tehsildar (Revenue), Kachhola, District Bhilwara, issued a notice under Section 91 of the Rajasthan Land Revenue Act, 1956 directing the petitioner to vacate the land.

4. According to Respondent No. 4, the petitioner has encroached upon the land, and therefore, notice dated 28.01.2026 under Section 91 of the Rajasthan Land Revenue Act, 1956 has been issued against the petitioner, allegedly in ignorance of Patta No. 45/1995-96 dated 15.10.1995.

5. After hearing learned counsel for the petitioner, this Court deems it just and proper to dispose of the present writ petition with a direction to the petitioner to file a fresh

representation, along with a certified copy of the patta and the subsequent sale deed, before Respondent No. 4, i.e., the Tehsildar (Revenue), Kachhola, District Bhilwara, within a period of two weeks from today.

6. In case such representation is made, Respondent No. 4, i.e., the Tehsildar (Revenue), Kachhola, District Bhilwara, shall consider and decide the same in accordance with law, as expeditiously as possible. Till the representation filed by the petitioner against the notice issued under Section 91 of the Rajasthan Land Revenue Act, 1956 is considered and decided by a reasoned order, no coercive action shall be taken against the petitioner.

7. With the aforesaid directions, the present writ petition as well as the stay petition stand disposed of.

(SANJEET PUROHIT),J