

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

S.B. Civil Writ Petition No. 4506/2025

Natthu Ram S/o Hira Ram, Aged About 79 Years, R/o Ward No.
9, Lnp (Manjhuwas), Narsinghpura Barani, Ganganagar (Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through The Tehsildar (Revenue),
Binjhbayla, District Sriganganagar.
2. Ajay Kumar S/o Krishna Lal, R/o Narsinghpura,
Padampura, District Sriganganagar.
3. Arjun S/o Ugrasen, 30 Lnp, Tehsil Padampur, District
Sriganganagar.

-----Respondents

For Petitioner(s)	:	Mr. Mayank Rajpurohit
For Respondent(s)	:	Mr. Mudit Nagpal

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

08/05/2026

1. Present writ petition has been filed challenging the order dated 30.12.2024 whereby the learned Board of Revenue has remanded the matter back to the learned SDO, Padampur to undertake proceedings in relation to the application filed under Section 251-A of the Rajasthan Tenancy Act, 1955 (hereinafter referred to as the 'Act of 1955'), while complying with the Rules 68 & 69 of Rajasthan Tenancy (Government) Rules, 1955 (hereinafter referred to as the 'Rules of 1955').
2. Learned counsel for the petitioner submits that as a matter of fact the inspection was already called for and, therefore, the remand order was not justified.

3. Per contra, learned counsel for the respondents submits that in the present case learned SDO, Padampur has acted with predetermined mind and had first called for the inspection report and after receipt of the same subsequently, registered the matter and issued notices to the respondents.

4. It is contended that procedure adopted by learned SDO was clearly contrary to the Rules 68 & 69 of the Rules of 1955, which clearly require, as the first step, the registration of the application and calling for inspection report and thereafter inviting and deciding the objections, before finally deciding the application filed under Section 251-A of the Act of 1955.

5. Learned counsel for the respondents also states that no illegality has been committed by the learned Board of Revenue in passing the order impugned, as only direction given was to decide the application, while complying with the requirements of law and after giving opportunity of hearing to all the parties.

6. Heard learned counsel for the parties and perused the material available on record.

7. Learned counsel for the petitioner has failed to dispute the fact that in the present case learned SDO had first called for the inspection report without providing opportunity of hearing to the affected persons and only after receipt of said report, had registered the application.

8. This Court finds that as a matter of fact no adverse order as such against the rights of the petitioner was passed by learned Board of Revenue and only directions were issued to the learned SDO to decide the application filed under Section 251-A of the Act

of 1955 while strictly complying with the Rules of 68 & 69 of the Rules of 1955.

9. In this view of the matter, since the petitioner has failed to establish any error much less any error apparent on the face of record, jurisdictional error or any manifest illegality in the order dated 30.12.2024 passed by the learned Board of Revenue.

10. Since present writ petition lacks merits, the same is dismissed. The impugned order dated 30.12.2024 is upheld.

11. The parties to the litigation are directed to appear before the learned SDO, Padampur and participate in the proceedings under Rules 68 & 69 of Rajasthan Tenancy (Government) Rules, 1955.

12. Learned SDO, Padampur is directed to undertake proceedings under Section 251-A of Rajasthan Tenancy Act, 1955 while complying with the provisions/requirements of Rules 68 & 69 of Rajasthan Tenancy (Government) Rules, 1955 and decide the same strictly in accordance with law, expeditiously, preferably within a period of three months, by passing a speaking order after granting opportunity of hearing to all the parties.

13. It is made clear that this order shall not be construed as direction to the learned SDO to decide the same in any manner, but the same be decided only in accordance with law.

14. Accordingly, the writ petition is **dismissed**.

15. Stay application and all pending application(s) are also disposed of.

(SANJEET PUROHIT),J