

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

D.B. Civil Writ Petition No. 4447/2026

Bhagirath S/o Dungar Ram, Aged About 66 Years, R/o 162, Near
Patwar Bhawan, Nakrasar, Tehsil And District Churu (Rajasthan).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Secretary,
Department Of Revenue, Government Secretariat,
Rajasthan, Jaipur.
2. The District Collector, Churu.
3. The Sub Divisional Officer, Churu, District Churu.
4. The Tehsildar, Churu, District Churu.
5. Gram Panchayat Nakrasar, Panchayat Samiti Churu,
District Churu Through Its Sarpanch.
6. Gopalram S/o Budharam, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
7. Chetanram S/o Nathuram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
8. Lichharam S/o Dewaram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
9. Chunnaram, Village Nakrasar Tehsil Churu Dist Churu
10. Tejpal S/o Bhebharam, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
11. Kumaram S/o Rawatram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
12. Mohar Singh S/o Hadmanaram, Resident Of Village
Nakrasar, Tehsil Churu, District Churu.
13. Damaram S/o Bhanwar Ram, Resident Of Village
Nakrasar, Tehsil Churu, District Churu.
14. Sanwarmal S/o Sohanlal, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
15. Mahaveer Prasad S/o Ram Gopal, Resident Of Village
Nakrasar, Tehsil Churu, District Churu.
16. Neerana S/o Tikuram, Resident Of Village Nakrasar, Tehsil
Churu, District Churu.
17. Gogaram S/o Tikuram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
18. Rameshwar S/o Khiwaram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
19. Dolaram S/o Bhuganram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
20. Kurda Ram S/o Goduram, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.
21. Sohan Lal S/o Lichharam, Resident Of Village Nakrasar,
Tehsil Churu, District Churu.

22. Kishanlal S/o Heera Ram, Resident Of Village Nakrasar, Tehsil Churu, District Churu.
23. Niran S/o Suparam, Resident Of Village Nakrasar, Tehsil Churu, District Churu.

-----Respondents

For Petitioner(s) : Mr. Mahendra Singh Gurjar
For Respondent(s) : Mr. N.A. Rajpurohit, AAG

HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE SUNIL BENIWAL

Order(Oral)

12/03/2026

Per : Arun Monga, J

1. Petitioner, claiming himself to be a vigilant citizen and a publicly spirited person, has approached this Court by way of instant Public Interest Litigation seeking following relief:-

"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 impugned action of the private respondents No.6 to 23 while making encroachment upon the land falling in Khasra No.582/224, Village Nakrasar, Patwar Halka Nakrasar, Tehsil Churu, District Churu which is a Gair Mumkin Gochar land, and the impugned action of the respondent authorities while not removing the said encroachment, may kindly be declared illegal, arbitrary, unjust and so also violative of provisions of Constitution of India as well as Rajasthan Land Revenue Act.

(ii) the respondent authorities may kindly be directed to remove the illegal encroachment from the land falling in Khasra No.582/224, Village Nakrasar, Patwar Halka Nakrasar, Tehsil Churu, District Churu and the private respondents may kindly be dispossessed from the land in question."

2. It is pertinent to note that vide a Division Bench judgment of this Court rendered in **Jagdish Prashad Meena & Ors. Vs. State of Rajasthan & Ors.**¹ Public Land Protection Cell (PLPC) for rural areas

in every district was directed to be set up. The relevant portion thereof reads as under:-

"This Court is inundated with large number of writ petitions, styled as public interest litigation, from almost all the Districts of the State, with allegations of encroachment over the pasture land/ land of 'johad', 'talab'/ river/river bed/public way/ Shamshan/Kabristan etc. In all such petitions, common allegation is that despite repeated complaints/representations to the concerned revenue officers, no steps are taken by them to remove the encroachment. This results in number of writ petitions being filed by the complainants/representationists before this Court. This Court has been passing orders in such matters requiring the respective District Collectors to examine the factual content of the allegations and take steps to remove the encroachments so as to secure such land.

In order therefore to provide a pan-Rajasthan solution to this ever persisting problem, we deem it appropriate to direct the Chief Secretary of the State to devise a permanent mechanism, which should be operational in every District of the State where the concerned District Collector should be required to periodically notify for the information of the general public to lodge the complaints/representations with regard to such encroachments with a specially designated Public Land Protection Cell (for short 'PLPC') for rural areas. The PLPC should be headed by District Collector and function under his direction and supervision. The PLPC shall get such complaints/representations enquired into by deputing concerned Sub Divisional Officer/Tehsildar/Naib Tehsildar so as to verify whether or not such encroachments have actually taken place on such land. If the allegations are found to be substantiated, appropriate steps in accordance with law be immediately taken for removal of the encroachments and appropriate penal action be also taken against the trespassers. The complaints/representations received in the PLPC should be decided by passing speaking order, informing the respective complainant/representationist about the action taken. This would obviate the necessity of such complainants/ representationists approaching this Court directly by way of public interest litigation. If this practice is put in place, this Court would not be inclined to directly entertain such public interest litigation or would do so only in the event of inaction on the part of the concerned PLPC."

3. Confronted with aforesaid, learned counsel for the petitioner submits that the petitioner would submit a representation before the PLPC and respondents be directed to dispose of the same within a period of two months.

4. Learned counsel for the respondent is agreeable with the submissions as above.
5. Accordingly, the writ petition is disposed of with liberty to the petitioner to file a representation before the competent authority and same shall be dealt with in terms of judgment referred, *ibid*.
6. Any pending application(s) also stands disposed of.

(SUNIL BENIWAL),J

(ARUN MONGA),J

11-Anshul/-