

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

S.B. Civil Writ Petition No. 4588/2026

Niranjan Kumar S/o Brijmohan Agarwal, Aged About 65 Years,
Resident Of Nohar, Tehsil Nohar, District Hanumangarh, Raj.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Principal Secretary,
Local Self Government, Rajasthan, Jaipur.
2. Municipal Board, Nohar Through Executive Officer,
Municipal Board, Nohar, Tehsil Nohar, District
Hanumangarh, Raj.

-----Respondents

For Petitioner(s) : Mr. G. R. Goyal

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Learned counsel for the petitioner submits that the petitioner has been allotted the plot in question by the Municipal Board, Nohar vide perpetual lease dated 26.09.2001.
2. Learned counsel also submits that the petitioner is in possession of his 'Pattasuda' land and there is no encroachment over the land and his construction is not on road.
3. Learned counsel has referred the notice dated 16.12.2025 issued by the respondent No.2, whereby the petitioner has been shown as encroacher over the part of road i.e. 22 feet but in the second notice dated 02.02.2026 the same authority has shown encroachment over the road upto 12 feet.
4. Learned counsel also submits that as a matter of fact without due demarcation, the respondent-authorities have shown the

petitioner as encroacher and ordered to initiate proceedings against the petitioner under Section 194 of Rajasthan Municipalities Act, 2009 and Rule 245 of Building Exchange Regulation, 2020.

5. Matter requires consideration.

6. Issue notice. Issue notice of stay application also, returnable within six weeks.

7. In the meantime, no coercive action shall be taken against the petitioner in pursuance of impugned notices dated 16.12.2025 and 02.02.2026.

(SANJEET PUROHIT),J