

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

S.B. Civil Writ Petition No. 4875/2026

Farzana W/o Mohd Sajid Suleman, Aged About 42 Years, R/o
Jeena Marg, Gulam Shah Peer Dargaha Mohalla Vyapariyan,
Bikaner.

-----Petitioner

Versus

1. State Of Rajasthan, To Be Served Through Secretary,
Revenue Department, Jaipur.
2. Board Of Revenue For Rajasthan, At Ajmer.
3. Tehsildar (Revenue), Bikaner.
4. Heere Khan S/o Amardeen, R/o Ridmalsar Tehsil And
District Bikaner (Since Deceased)

-----Respondents

For Petitioner(s) : Mr. Rajeev Purohit
Mr. Shashank R. Joshi

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Learned counsel for the petitioner submits that by way of making the allotment, *Gair Khatedari* rights have been given to Late Heera Khan, and later on the Khatedari Rights were assigned to the deceased Heera Khan in the year 2006. Later on, the State Government has filed a reference under Section 82 of the Rajasthan land Revenue Act, 1956, against Sh. Heera Khan. It is stated that since the notices were not served upon Sh. Heera Khan, the learned Board of Revenue while proceeding ex parte has cancelled the allotment made in favour of the Sh. Heera Khan.

2. It is further stated that by the time, the order impugned dated 03.03.2020 was passed the allottee- Heera Khan already expired. Thus, the order impugned has been passed against a dead person.

3. It is stated that legal representatives of Late Sh. Heera Khan, were not having any knowledge of the order impugned dated 03.03.2020 and they have sold the land by way of registered sale deed to the present petitioners. Moreover, the petitioners have recently came to know about the order impugned dated 03.03.2020, which was passed without granting any opportunity of hearing to the allottee and also after his death.

4. Matter requires consideration.

5. Issue notice. Issue notice of the stay application, returnable within a period of four weeks.

6. In the meantime, status quo with regard to the land in question shall be maintained by the parties.

(SANJEET PUROHIT),J