

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

S.B. Civil Writ Petition No. 5305/2025

Vidya Devi Choudhary W/o Suraj Mal Choudhary, Aged About 45 Years, R/o New Bus Stand Road, Indra Colony, Bari Sadri, Chittorgarh, Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Principal Administrative Secretary, Urban Development Department, Jaipur.
2. The Chief Town Planner, Town Planning Department, Jaipur.
3. The Chairman, Municipality, Badi Sadari, Chittorgarh.
4. The Executive Officer, Badi Sadari, Chittorgarh.
5. The Deputy Town Planner, Town Planning Department.
6. M/s Dhartidhan Construction, Through Its Proprietor Rishabh Kumar Jain, Satdiya Bazar, Bhinder, District Udaipur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Rishabh Tayal with Mr. Jitendra Choudhary
For Respondent(s)	:	Mr. Monal Chugh

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

05/05/2026

1. The present writ petition has been filed by the petitioner with following prayer:-

"It is, therefore, prayed that by an appropriate writ, order or direction:

1. The present writ petition filed by the humble petitioner may kindly be allowed with costs throughout.
2. The illegal encroachment on the petitioner's land by the respondents may be declared illegal.
3. The respondents may be directed to remove the encroachment over the

petitioner's land and restore the petitioner's land as it was before the illegal encroachment.

4. The respondents may be directed to give compensation to the petitioner to the tune of 810,00,000/- for the damage caused.

5. The respondent authorities may kindly be restrained from raising construction of Nala and bridge over the land of the petitioner in the garb of renovation work from the subject land belonging to the petitioners in future as well.

6. The respondent authorities may kindly be directed to initiate proceedings for acquisition of subject land and after determining suitable amount of compensation in lieu of acquisition and damage caused to the petitioner due to dismantling of boundary wall in accordance with provisions of Act of 2013 and accordingly, release/paid the same in their favour forthwith.

7. Any other relief which this Hon'ble court deems fit may be granted in favour of the petitioner."

2. Learned counsel for the petitioner submits that a valid patta was issued in favour of the petitioner by Nagar Palika, Badi Sadri. It is contended that the respondents have constructed a bridge over a nala, which allegedly falls within the petitioner's patta land, without any prior intimation and without payment of compensation.

3. It is further submitted that the petitioner approached the concerned authorities seeking compensation; however, the same has been denied.

4. Per contra, learned counsel for the respondents submits that the reliefs sought by the petitioner involve disputed questions of fact, particularly with regard to title and possession of the land in question, and thus the writ petition is not maintainable. It is further submitted that the land over which the bridge has been constructed does not belong to the petitioner.

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

6. Having regard to the facts and circumstances of the case, and without expressing any opinion on the merits of the case, this Court deems it appropriate to dispose of the present writ petition by granting liberty to the petitioner to submit a detailed representation before respondent No. 4 – the Executive Officer, Badi Sadri. In the event such a representation is filed, the said authority shall consider and decide the same in accordance with law, expeditiously, after taking into consideration the relevant revenue record and the survey report pertaining to the land in question.

7. It is further observed that in case, upon such consideration, it is found that the petitioner's land has been utilized for construction of the bridge, the petitioner shall be entitled to compensation strictly in accordance with law.

8. With the aforesaid observations and directions, the present writ petition stands disposed of.

9. Stay application and pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J