

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

S.B. Civil Writ Petition No. 5358/2026

1. Asi Alias Asia W/o Heere Khan, Aged About 94 Years, R/o Ridmalsar Tehsil And District Bikaner.
2. Mohd. Idris S/o Heere Khan, Aged About 70 Years, R/o Ridmalsar Tehsil And District Bikaner.
3. Jungsher Ali S/o Heere Khan, Aged About 40 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
4. Jayada D/o Heere Khan, W/o Mohammad Irfan, Aged About 55 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
5. Vayda Parihar D/o Heere Khan, W/o Mehardeen Parihar, Aged About 54 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
6. Guljar Ahmed S/o Heere Khan, Aged About 62 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
7. Abdul Sattar S/o Heere Khan, Aged About 59 Years, R/o Ward No.12, Napasar Road, In Front Of Choti Kabristan Ridmalsar, Sipahiyan, Udasar, Bikaner.
8. Ali Sher Panwa S/o Heere Khan, Aged About 52 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
9. Nabi Sher S/o Heere Khan, Aged About 45 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.
10. Ayub Ali S/o Heere Khan, Aged About 54 Years, R/o Ridmalsar, Sipahiyan, Udasar, Bikaner.

-----Petitioners

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.

-----Respondents

For Petitioner(s) : Mr. Rajiv Purohit

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

09/03/2026

1. Learned counsel for the petitioner submits that by way of making the allotment, *Gair Khatedari* rights have been given to

Late Heere Khan, and later on the Khatedari Rights were assigned to the deceased Heere 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. Heere Khan. It is stated that since the notices were not served upon Sh. Heere Khan, the learned Board of Revenue while proceeding ex parte has cancelled the allotment made in favour of the Sh. Heere Khan.

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

3. It is stated that legal representatives of Late Sh. Heere 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 various persons. 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