

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

D.B. Civil Writ Petition No. 5388/2023

Dinesh Kumar Dadhich S/o Shri Ratan Lal, Aged About 50 Years,
R/o Village Babra Police Station Ras District Pali Rajasthan

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary
The Department Of Revenue Government Of Rajasthan,
Jaipur.
2. District Collector Pali, District Pali Rajasthan.
3. Public Land Protection Cell, Through Its District Collector
Pali District Pali Rajasthan.
4. Tehsildar Raipur, District Pali Rajasthan.
5. Village Development Officer, Gram Panchayat Babra Tehsil
Raipur District Pali Rajasthan.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Ms. Aditi Sharma Ms. Kanchan Jodha

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order (Oral)

05/05/2026

Per: Arun Monga, J.

1. Petitioner who claims himself to be a vigilant citizen and a public spirited person has filed the instant writ petition to protect the public interest seeking following reliefs:

- “1. By An Appropriate Writ Order Or Direction to the respondents to remove the encroachment situated at Public Chowk mentioned in the Civil Court decree dated 10.03.2003 (Annex-2) and restore the land in question as public chowk at village Babra Tehsil Raipur District Pali.*
- 2. By an appropriate writ order or direction, the respondents may kindly be directed to restore the public land while removing the encroachments, and restore the Public chowk.*

3. By An Appropriate Writ Order Or Direction The Respondents May Kindly Be Direct To Consider The Application Pending in PLPC Cell District Pali Rajasthan."

2. Notice was issued, and the respondents have filed their reply. Stand taken by the respondents in their reply is reproduced herein below:-

"It is submitted that on the land in question, a bus stand is being run by the Gram Panchayat Babra and a water cooler is also installed. It is submitted here that adjacent to the bus stand one Gopal Singh S/o Prahlad Singh has installed a cabin and runs his livelihood from the same. It is submitted here that Gopal Singh is disabled from his both legs. It is submitted that on 26.11.2021, a survey of the land was conducted in Prashan Gao Ke Sang Abhuyan. "

3. In view of the aforesaid, we are of the considered opinion that neither the alleged encroacher nor the Gram Panchayat, whose land is stated to have been encroached upon has been impleaded as a party to the proceedings and in absence thereof, we are not inclined to pass any adverse orders, even if the averments in the petition are taken to be gospel. Be that as it may, the averments do not appear to be entirely factually correct, as is evident from the stand taken by the respondents in the aforesaid reply.

4. Furthermore, what persuades us to dismiss the petition is the fact that no further affidavit or rejoinder has been filed controverting the aforesaid stand taken by the respondents.

5. Taking a wholesome view, the present writ petition is found to be devoid of any merit and is accordingly dismissed.

6. All pending applications stand disposed of.

(SANDEEP SHAH),J

(ARUN MONGA),J