

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

S.B. Civil Writ Petition No. 6800/2026

Kasturba Matri Mandir, Dr. Atma Prakash Bhati Hospital, Through Its Secretary Namely Jai Prakash Bhati S/o Sh. Atma Prakash Bhati, Aged About 86 Years, Resident Of G-28. Krishna Complex, Hari Das Ji Ki Magri, Subhash Chowk, Mulla Talai, Shastri Circle, Udaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary To The Department Of Urban Development And Housing, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Municipal Corporation Udaipur, Through Its Commissioner At Udaipur

-----Respondents

For Petitioner(s) : Dr. Harish Purohit

For Respondent(s) : --

HON'BLE MR. JUSTICE KULDEEP MATHUR
Order

28/03/2026

1. By way of the present writ petition has been filed by the petitioner's seeking the following reliefs:-

"It is, therefore, respectfully prayed that this writ petition may kindly be allowed and by an appropriate writ, order or direction the respondents may kindly be directed to decide the application Annex. 3 submitted by the petitioner society for change of land use by treating the condition No. 4 in the Allotment Letter Annex. 1 as waive or relaxed for the purpose of Rules of 2010 within three months and grant the change of land use for the disputed land as requested by the petitioner society.

Any other relief to which petitioner appears entitle to may kindly be also be passed in favour of the petitioner society"

2. After arguing the matter for some time, the learned counsel for the petitioner submitted that the petitioner would be satisfied if directions are issued to the respondent No.1- Secretary to the

Department of Urban Development and Housing, Govt. Of Rajasthan, Secretariat, Jaipur to consider and decide the representation of the petitioner's society seeking change of land use by treating the condition NO.4 in the allotment dated 10.09.56 (Annex.1) as waived or relaxed for the purpose of Rajasthan Urban Area (Change of Land Use) Rules, 2010.

3. In view of the aforesaid submission made at Bar by the learned counsel for the petitioner, the present writ petition is disposed of with a direction to the petitioner to file a fresh representation ventilating its grievance alongwith a certified copy of the order instant within a period of two weeks from today before the respondent No.1- Secretary to the Department of Urban Development and Housing, Govt. Of Rajasthan, Secretariat, Jaipur seeking change in land use by relaxing the condition No.4 of the allotment dated 10.09.56 (Annex.1).

4. In case, a representation is so filed, the competent authority – respondent No.1 shall consider and decide the same in accordance with law as expeditiously as possible preferably within a period of eight weeks from receipt thereof.

5. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioner's grievance and the same may not be construed to be an order to decide the representation in a particular manner.

6. Stay petition as well as all pending application, if any, stand disposed of.

(KULDEEP MATHUR),J