

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

S.B. Civil Writ Petition No. 7524/2024

Babu Khan S/o Vali Khan, Aged About 34 Years, By Caste Musalman, R/o Bhomsagar, Badnawa Jagir, Tehsil Pachpadra, District Balotra.

-----Petitioner

Versus

1. District Collector, Balotra.
2. Naseer Khan S/o Rimu Khan, By Caste Sindhi Musalman, R/o Badnawa Jagir, Tehsil Pachpadra, District Balotra.
3. Sarpanch, Gram Panchayat Badnawa Jagir, Tehsil Pachpadra, District Balotra.

-----Respondents

For Petitioner(s) : Mr. Rajesh Choudhary

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

15/05/2024

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner submits that the petitioner is holding the registered Patta in his favour and thus, the revisional Court has no jurisdiction to deal with the matter, in view of the judgment of Division Bench of this Court in the case of ***Panna Lal & Anr. V/s Smt. Shushila Devi & Ors. decided on 12.02.2008***, wherein, it was held that when the registered Patta is in favour of somebody, the revisional Court will have no jurisdiction and any party aggrieved of the same can file appeal under Section 61 of the Rajasthan Panchayati Raj Act, 1994.
3. Matter requires consideration.

4. Issue notice. Issue notice of stay application also, returnable on 23.07.2024.

5. Meanwhile and till the next date of hearing, effect and operation of the order dated 03.04.2024 passed by the District Collector, Balotra shall remain stayed.

(VINIT KUMAR MATHUR),J

79-SunilS/-