



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

2026:RJ-JD:25539-DB

D.B. Special Appeal Writ No. 332/2026

1. M/s. Vishnu Automobiles, Khasra No. 9, Village Nandri, Banar Road, Jodhpur Through Its Proprietors.
2. Bal Kishan S/o Ram Dayal, Aged About 50 Years, Resident Of Ramsagar Bera, Punjala, Jodhpur.

----Appellants

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Department Of Urban Development And Housing, Government Of Rajasthan, Secretariat, Jaipur.
2. Jodhpur Development Authority, Jodhpur, Through Its Commissioner/secretary, Jodhpur.
3. The Authorized Officer, Zone No. 1, Jodhpur Development Authority, Jodhpur.
4. The Executive Engineer (Nh), Public Work Department, Jodhpur.
5. Hindustan Petroleum Corporation Limited, Registered Office At 17 Jamshedji Tata Road, Mumbai, Through Its Managing Director/chairman.
6. The Chief Regional Manager, The Hindustan Corporation Limited, Jodhpur Regional Office, Kothi, Jodhpur.
7. Rajeev Machra S/o Dhokal Ram, Resident Of 11, Roop Nagar, Paota C Road, Near Rto Office, Jodhpur (Raj.).

----Respondents

Connected With

D.B. Special Appeal Writ No. 481/2026

1. Shri Sohan Singh Ji S/o Shri Ramdayal, Aged About 56 Years, R/o Plot No 481/16, Ram Sagar Bera, Post Krishi Upaj Mandi, Mandor Road, Jodhpur Rajasthan, 342007.
2. Shri Suraj Parihar S/o Shri Sohan Singh Ji, Aged About 37 Years, R/o Plot No 481/16, Ram Sagar Bera, Post Krishi Upaj Mandi, Mandor Road, Jodhpur Rajasthan, 342007.

----Appellants

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Department Of Urban Development And Housing, Government Of Rajasthan, Secretariat, Jaipur.
2. Jodhpur Development Authority, Jodhpur Through Its Commissioner / Secretary, Jodhpur.
3. The Authorized Officer, Zone No.1, Jodhpur Development Authority, Jodhpur.
4. The Executive Engineer (Nh), Public Work Department, Jodhpur.
5. Indian Oil Corporation Limited, Having Its Registered



Office At Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai- 400051. 6. Indian Oil Corporation Limited, Jodhpur Divisional Office India Oil Bhawan, Sector 12, Chopasni Housing Border, Jodhpur.

6. Rajeev Machra S/o Dhokal Ram, Aged About 45 Years, Resident Of 11, Roop Nagar, Paota C Road, Near Rto Office, Jodhpur.

-----Respondents

For Appellant(s)	:	Mr. Sanjay Nahar Mr. Rajesh Shah
For Respondent(s)	:	Mr. Manish Shishodia, Sr. Adv. assisted by Ms. Abhilasha Bora Mr. Deepesh Birla Mr. Tananjay Parmar for Mr. Deepak Bora

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

25/05/2026

1. Delay in filing D.B. Special Appeal Writ No.332/2026 is hereby condoned.
2. D.B. Special Appeal No.332/2026 has been filed by the appellants challenging the order dated 07.11.2025 in S.B. Civil Writ Petition No.18990/2025 passed by the learned Single Judge whereas D.B. Special Appeal No.481/2026 has been filed against the order dated 08.01.2026 passed in S.B. Civil Writ Petition No.23423/2025.
3. In both the above writ petitions, order/decision dated 08.09.2025 issued by the respondent- Jodhpur Development Authority granting permission under Section 90A of the Rajasthan Land Revenue Act for the purpose of establishing a petrol pump was under challenge. The said order has been quashed by the learned Single Judge vide the above impugned orders. Therefore,



both these appeals are being heard together and are being decided by this common order.

4. Learned counsel for the appellants submits that the learned Single Judge has passed both the impugned orders and set aside the order dated 08.09.2025, without providing any opportunity of hearing to the appellants as the order of conversion of the land for petrol pump was passed by the Authority in their favour. Learned counsel further submits that the learned Single Judge has passed the order granting permission to the respondent-objector Mr. Rajeev Machra, to raise his objections before the Authority whereas at the time of issuance of order dated 08.09.2025, his objections were considered and decided by the concerned Authority.

5. Learned Senior Counsel appearing on behalf of the respondents fairly admits that the orders have been passed by the learned Single Judge without providing any opportunity of hearing to the appellants herein. Learned Senior Counsel, however, further submits that the order dated 08.09.2025 passed by the Authority with regard to having the objection raised by the petitioner is a non speaking order.

6. Heard learned counsel for the parties and perused the record.

7. In our considered view, the learned Single Judge has erred in not providing any opportunity of hearing to the appellants-original respondents in whose favour the order of allotment of petrol pump was issued and lease deed of the land has also been issued.

8. In that view of the matter, we allow these appeals. The orders, passed by the learned Single Judge, dated 07.11.2025 and



08.01.2026 are set aside. The matters are remanded to the learned Single Judge for deciding the same afresh on merits after giving opportunity of hearing to all the parties.

9. Pending application(s), if any, stand disposed of.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J

17-18-suraj/-