

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

D.B. Civil Writ Petition No. 8407/2023

Mangi Lal Joshi S/o Khemraj Joshi, Aged About 73 Years,
Kalimata Road Ganesh Nagar, Pahada, Shastri Circle, Udaipur
(Raj.).

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Local Self
Department, Secretariat, Rajasthan, Jaipur.
2. The District Collector, Udaipur.
3. The Municipal Corporation Udaipur, Through Its
Commissioner.
4. The Mayor, Municipal Corporation Udaipur.
5. The Urban Improvement Trust Udaipur, Through Its
Secretary.

-----Respondents

For Petitioner(s)	:	Ms. Kamini Chouhan Ms. Anjana Jawa
For Respondent(s)	:	Dr. Sachin Acharya, Sr. Adv. with Mr. Samyak Dalal Mr. Vijay Purohit Mr. Anurag Shukla Mr. Manvendra Singh Mr. Pradeep Singh Ms. Mehali Mehta for Mr. Sajjan Singh Rathore, AAG Mr. Rakesh

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

Order

23/03/2026

Heard learned counsel for the parties.

2. The present public interest litigation has been filed with the
following prayers :-

"a. By an appropriate writ, order or direction, entire record with regard to catchment area of Fateh Sagar Lake, Upla Talab and other, Girwa - Badgaon, Teshil and District be called for proper adjudication of the present case.

b. By an appropriate writ, order or direction, the respondents may kindly be directed to remove the encroachment, illegal activities in the catchment area of Fateh Sagar Lake, Upla pond and others.

c. By an appropriate writ order or direction, the respondents may kindly be directed to ensure that no garbage will be put in Fateh Sagar Lake and catchment area of Upla Talab.

d. By an appropriate writ order or direction, the respondents be further directed to ensure cleanliness of drinking water of Fateh Sagar Lake.

e. By an appropriate writ order of direction, it may be ordered that if any nature of land in the catchment area of Fateh sagar lake and Upla Talab has been changed, the same may be declared illegal and arbitrary and the same also kindly be quashed.

f. Any other appropriate order or direction which this Hon'ble Court deems just and proper may kindly be passed in favour of the petitioners.

g. Writ petition filed by the petitioner may kindly be allowed with costs."

3. Essentially, a close reading of prayers shows that the water bodies/lakes of the city of Udaipur are being encroached upon and therefore, a prayer has been made against the official respondents to take appropriate action for preservation and conservation of the water bodies against the encroachers.

4. The learned counsel for the respondents submit that the State Authorities/functionaries are duty bound to preserve and conserve the water bodies and lakes of the Udaipur city and therefore, they had taken all the requisite steps against the encroachers who are polluting or encroaching the lakes in Udaipur.

5. Learned counsel for the State assures this Court that all possible measures will be taken in future also for the conservation and preservation of the lakes.

6. Learned counsel submits that remedial measures include the issuance of notices and proceeding against those persons who are encroaching the water bodies in Udaipur. He therefore, submits that they may be permitted to take the corrective steps in accordance with law against the erring persons who are violating the provisions of the law and encroaching upon the lakes/water bodies in Udaipur.

7. Learned counsel for the petitioner submits that the State functionaries may be directed to act strictly against those persons for conservation and preservation of the water bodies in Udaipur.

8. In view of the submissions made before this Court, the present writ petition is disposed of, with a direction to the respondents to take all the remedial measures to preserve the sanctity of the water bodies and the lakes in the city of Udaipur.

9. Needless to say, the proceedings undertaken by the State functionaries shall be continued and monitored without any fail in accordance with law.

10. It is further directed that if any person has encroached upon the lakes or water bodies in Udaipur, the same shall be removed forthwith after following due process of law.

11. In view of the disposal of the present writ petition, the application filed by the applicant under Order 1 Rule 10 CPC is not pressed at this stage and the same is hereby dismissed as not pressed.



12. Needless to say that the State Authorities shall take all the care to remove the encroachments and to maintain the precincts of the water bodies in the entire city of Udaipur.

(CHANDRA SHEKHAR SHARMA),J (VINIT KUMAR MATHUR),J

25-chandani, T.Singh/-