

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

S.B. Civil Writ Petition No. 9302/2026

Neha Jain W/o Nirmal Kumar Jain, Aged About 51 Years,
Resident Of Merta Sahar, Merta Nagaur, Presently Residing At
Jalam Vilas, Paota B Road, Jodhpur (Raj).

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Jodhpur (Raj).
2. Sub Divisional Officer, Pipar Sahar, Tehsil Pipar Sahar, District Jodhpur (Raj).
3. Tehsildar Pipar Sahar, Tehsil Pipar Sahar, District Jodhpur (Raj).
4. Deputy Tehsildar Borunda, Tehsil Pipar Sahar, District Jodhpur (Raj).
5. Gram Panchayat Borunda, Panchayat Samiti Pipar Sahar, Tehsil Pipar Sahar, District Jodhpur, Through Its Administrator / Sarpanch.

-----Respondents

For Petitioner(s)	:	Mr. T.S. Champawat
For Respondent(s)	:	-----

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

05/05/2026

1. Present writ petition is filed challenging orders dated 19.03.2026 & 09.04.2026 issued by Respondent No. 4 - Deputy Tehsildar, Borunda, Tehsil Pipar City, District Jodhpur, whereby a revenue team has been constituted for the purpose of carrying out demarcation of land bearing Khasra No. 1866/1 (New No. 2899).
2. Learned counsel for petitioner has challenged impugned notices principally on the ground that orders, purportedly passed

in exercise of powers conferred under Sections 128 and 129 of the Rajasthan Land Revenue Act, 1956 ('the Act'), are wholly without jurisdiction. It has been contended that a plain reading of proviso to Section 128 read with sub-section (3) of Section 129 of the Act clearly envisages that order directing demarcation can be passed by Tehsildar only in cases where no dispute regarding boundaries exists.

3. It is further contended that petitioner has been in lawful possession of land in question for the last fifteen years, the same having originally been allotted to the erstwhile owner by way of a patta issued in the year 1990. Thereafter, petitioner purchased entire said patta suda land through a registered sale deed dated 20.05.2008.

4. It is also contended that, after a lapse of several years, certain persons have raised disputes regarding ownership and possession of petitioner over land in question, pursuant to which S.B. Civil Writ Petition No. 16115/2025 titled Mool Singh & Ors. vs. State of Rajasthan & Ors was filed. The said writ petition was disposed of by Coordinate Bench of this Court vide order dated 09.09.2025, whereby only direction was issued to respondents to consider representation submitted by petitioners therein seeking demarcation of land. It was categorically clarified in the said order that Respondent No. 3 shall decide representation strictly in accordance with law and not in any particular manner.

5. It is contended that respondent authorities were required to take into consideration statutory provisions provided under law before passing impugned orders on representation submitted by said individuals. However, merely by placing reliance upon order

dated 09.09.2025 passed by Coordinate Bench of this Court (Annexure-4), Tehsildar proceeded to pass impugned orders directing demarcation, despite having no authority in law to do so.

6. Matter requires consideration.

7. Issue notice. Issue notice of stay application also, returnable within a period of six weeks.

8. In the meantime, and until further orders, respondents are restrained from undertaking any demarcation exercise pursuant to impugned orders dated 19.03.2026 and 09.04.2026.

(SANJEET PUROHIT),J

43-shashikant/-