

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

D.B. Civil Writ Petition No. 8642/2023

Sri Kalimata Mandir (Matagal) Vikas And Sewa Samiti Trust
Village Bujhawad

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur.
2. District Collector, Jodhpur.
3. Jodhpur Development Authority Jodhpur, Through Its Commissioner.
4. Maulana Azad University, Jodhpur, Village Post Bujhawad Tehsil Jhanwar District Jodhpur, Through Its Registrar.
5. Marwar Muslim Education Welfare Society, Pal Link Road, Jodhpur Through Its Secretary.
6. Gram Panchayat, Doli, Tehsil Jhanwar, District Jodhpur Through Its Sarpanch.
7. Rajasthan Board Of Muslim Waqfs, Through Its Chief Executive Officer, Lal Kothi Yojna, Jyoti Nagar, Jaipur.

-----Respondents

For Petitioner(s) : Mr. Moti Singh

For Respondent(s) :

**HON'BLE MR. JUSTICE VIJAY BISHNOI
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT**

Order

25/07/2023

1. Learned counsel for the petitioner has submitted that the District Collector, Jodhpur vide order dated 09.04.2000, while exercising powers under Condition for (Allotment of Unoccupied Government Agricultural Lands for the Construction of School, Colleges, Dispensaries, Dharmshalas and Other Buildings of Public Utility), 1963 (for short 'the Condition 1963 hereinafter) allotted 140 Bighas of land of Khasra No. 38 of village Bujhawar, Tehsil Luni District Jodhpur to the various institutions for establishing College, Girls Secondary School, Primary School, Medical and Research Center etc. The said 140 Bighas of the land vests in the

respondent University as per Section 3(2)1 of the Maulana Azad University Jodhpur Act, 2013.

2. Learned counsel for the petitioner has submitted that as per Clause 4(B) of Conditions of 1963, the allottee has to construct the building and establish Senior Secondary School within one and a quarter year from the date of allotment.

3. Learned counsel for the petitioner has invited our attention towards a '*Mauka Report*' prepared by the Patwari and the J.En. of Jodhpur Development Authority and contended that till the year July,2022, the construction of Primary School, Secondary School and other buildings, for the purpose of which the land was allotted way back in the year 2000, had not been completed It is further submitted that though the respondent No.4 University has not completed the construction as per the Conditions of 1963 over the allotted land, still it has requested for allotment of 42 Bighas of the remaining land of Khasra No.36 and 432/38 of village Bujhawar.

4. Issue notice. Issue notice of stay application also. Rule is made returnable on 13.09.2023.

5. In the meantime, no further allotment of land out of Khasra No. 36 and 432/38 of village Bujhawar shall be made to the respondent No.4.

(YOGENDRA KUMAR PUROHIT),J

(VIJAY BISHNOI),J