

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

D.B. Civil Writ Petition No. 11135/2021

Jambheshwar Nagar Vikas Samiti, Kakani, District Jodhpur
Through Its Secretary Dinesh Kumar Bishnoi, S/o Ram Lal, Aged
About 30 Years, R/o A-1, Hamir Town, Jambheshwar Nagar,
Kakani, District Jodhpur (Raj.) (Aadhar No.7275-0384-8400).

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of
Revenue, Government Of Rajasthan, Jaipur.
2. District Collector, Jodhpur.
3. Tehsildar Luni, Jodhpur.
4. Jodhpur Development Authority Jodhpur, Through
Secretary, Jda, Jodhpur.
5. Gram Panchayat Kakani, Panchayat Samiti Luni, District
Jodhpur.

----Respondents

For Petitioner(s)	:	Mr. Moti Singh Mr. Kshitij Vyas
For Respondent(s)	:	Mr. Sunil Benial, AAG with Mr. Saransh Vij Mr. Deepak Pareek for respondent No.5 Ms. Kumkum Shah on behalf of Mr. Vinay Kothari for respondent No.4-JDA.

**HON'BLE THE CHIEF JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR**

Order

14/08/2023

1. Mr. Sunil Beniwal, learned Additional Advocate General has brought to the notice of the Court the order dated 04.09.2021, wherein this Court had directed the maintenance of the location of the land to remain the same. It was stated that until an order is

passed by the Court, the disputed land categorized as pasture land shall not be divested for any other purpose.

2. Learned Additional Advocate General seeks a clarification as in pursuance to the report/recommendation of the Tehsildar, the demarcation is being carried out and if that demarcation is to be given effect to, the location of the land would accordingly change. He further states that the Sub-Division Officer shall take the decision on the report and give effect thereto provided the order dated 04.09.2021 is clarified.

3. Learned counsel for the petitioner has no objection to the prayer made by the counsel for the State.

4. It would be open to the Sub-Division Officer to take a decision on the report along with recommendation as made by the Tehsildar and in case the same is accepted/modified, the effect thereof be reflected in the Revenue Record accordingly.

5. The order dated 04.09.2021 stands modified to this extent.

6. In view of the written request for adjourned on behalf of counsel for the respondent No.4-JDA who is stated to be out of station, adjourned to 19.10.2023.

(VINIT KUMAR MATHUR),J (AUGUSTINE GEORGE MASIH),CJ