

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

S.B. Civil Writ Petition No. 12263/2026

1. Nenidan S/o Kaludan, Aged About 53 Years, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
2. Padamdan S/o Kaludan, Aged About 50 Years, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
3. Babudan S/o Kaludan, Aged About 58 Years, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
4. Shaktidan S/o Kaludan, Aged About 62 Years, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.

----Petitioners

Versus

1. State Of Rajasthan, Through Tehsildar Gadra Road, District Barmer.
2. Ugamdan S/o Virdhan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
3. Gajdan S/o Virdhan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
4. Narpatdan S/o Virdan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
5. Antradevi W/o Virdhdan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
6. Manohardan S/o Mangaldan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
7. Jugtidan S/o Misridan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
8. Bhanwardan S/o Misridan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
9. Higlajdan S/o Shankardan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.
10. Sua W/o Shankardan, R/o Charano Ki Dhani, Balecha, Tehsil Gadra Road, District Barmer.

----Respondents

For Petitioner(s) : Mr. Roshan Lal
Mr. Divakar Sharma

For Respondent(s) : Mr. C.S. Kotwani for R.2 & R.6

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**Order****03/07/2026**

It is contended by learned counsel for the petitioners that the petitioners have preferred an appeal before the Additional Divisional Commissioner, Jodhpur, who summoned the record and refused to grant any ad-interim stay restraining the respondent(s) from creating third party rights.

Learned counsel – Mr. C.S. Kotwani has put in appearance on behalf of the respondent Nos.2 & 6. He submits that the petitioner have preferred the present civil writ petition seeking quashing of order dated 18.05.2026 whereby only record has been summoned and the application for stay is pending consideration. It is also submitted that the name of respondent(s) has been entered into the revenue record and they have not altered the nature of the property/land.

At this stage, after arguing for some time, learned counsel for the petitioners submits that the petitioners would be satisfied, if the appellate authority is directed to decide the pending stay application, expeditiously.

In view of the aforesaid limited prayer, the present writ petition is disposed of with a direction to the appellate authority to consider and decide the stay application filed by the petitioners within a period of four weeks from the date of receipt of certified copy of the order instant, in accordance with law and after granting opportunity of hearing to both the parties.

Till 30 days from today, the respondent(s) are restrained from creating any third party rights. It is made clear that the instant interim order shall be automatically vacated without further reference to this Court after expiry of 30 days.

The stay application and the pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J

207-mSingh/-