

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

S.B. Civil Writ Petition No. 12093/2024

1. Nathu Ram S/o Shri Khakhu Ram, Aged About 56 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
2. Rana Ram S/o Shri Ishraram, Aged About 42 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
3. Kishan Lal S/o Shri Heera Lal, Aged About 69 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
4. Keaju Kanwar W/o Wd/o Late Sh. Narayan Singh, Aged About 72 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
5. Smt. Kanchan Kanwar W/o Wd/o Late Shri Shyam Sunder, Aged About 47 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
6. Panchu Singh S/o Shri Peer Dan Singh, Aged About 69 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
7. Bhera Ram S/o Shri Mangla Ram, Aged About 47 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
8. Chatura Ram S/o Shri Babu Ram, Aged About 46 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
9. Gumana Ram S/o Shri Khiya Ram, Aged About 67 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
10. Gopilal S/o Shri Savag Ram, Aged About 64 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
11. Mangi Lal S/o Shri Achala Ram, Aged About 57 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
12. Amba Ram S/o Shri Utmaram, Aged About 54 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).

13. Kana Ram S/o Shri Amba Ram, Aged About 38 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
14. Manak Lal S/o Shri Devi Ram, Aged About 43 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
15. Chain Singh S/o Shri Megh Singh, Aged About 56 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
16. Bagta Ram S/o Shri Gorakh Ram, Aged About 48 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
17. Nathuram S/o Shri Hukma Ram, Aged About 49 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
18. Bhanwar Singh S/o Shri Nakhat Singh, Aged About 71 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
19. Hathi Singh S/o Kalyan Singh, Aged About 80 Years, B/c Rajput, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
20. Bhera Ram S/o Shri Moola Ram, Aged About 66 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
21. Smt. Vidhya W/o Gopilal, Aged About 56 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).
22. Omprakash S/o Balwant Ram, Aged About 50 Years, Residents Of Village Ramdeora, Tehsil Pokaran, District Jaisalmer (Raj.).

-----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Panchayati Raj Department, Government Of Rajasthan, Secretariat, Jaipur.
2. The Zila Parishad, Jaisalmer Through Its Chief Executive Officer.
3. The Panchayat Samiti, Sankara, Tehsil Pokaran, District

Jaisalmer (Raj.)- Through Its Vikas Ahikari.

4. The Gram Panchayat, Ramdeora, Tehsil Pokaran, District Jaisalmer-Through Its Secretary.

-----Respondents

For Petitioner(s) : Mr. Bhavit Sharma

HON'BLE MS. JUSTICE REKHA BORANA

Order

25/07/2024

1. Counsel for the petitioners submits that the impugned notices dated 15.07.2024 have been issued by the Gram Panchayat Ramdeora, Panchayat Samiti Sankara, Tehsil Pokaran, District Jaisalmer, while calculating the arrears w.e.f. year 2014 whereas the same was to be calculated w.e.f. 01.10.2019 and the increase in rent @ 20% was to be w.e.f. 01.03.2023 as per the interim order dated 21.02.2022 passed by a Coordinate Bench of this Court in **S.B. Civil Writ Petition No.1999/2022; Kishan Lal & Ors. Vs. State of Rajasthan** (Annexure-5).

2. Counsel further submits that computation as reflected in the notices regarding the deposited rent is also incorrect as the rent shown to be due in the said notices, is not due as maximum of the amount has been deposited by the petitioners.

3. In view of the submissions made, Issue notice. Issue notice of the stay application also.

Notices be filed in two sets within a period of one week. On the same being filed, one set be given '*dasti*' to learned counsel for the petitioners for service through registered post acknowledgment due. Notices be made returnable on 27.08.2024.

Postal receipts of the '*dasti*' notices be filed within a period of one week from the date of receipt of '*dasti*' notices.

4. Meanwhile, no coercive action shall be taken against the petitioners qua possession of the shops in question. However, the petitioners shall be under an obligation to continue to pay the rent in terms of order dated 21.02.2022 (Annexure-5).

(REKHA BORANA),J

273-Vij/-