

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

D.B. Special Appeal Writ No. 875/2025

Jitendra Singh Bhati son of Madhu Singh Bhati, aged about 50 Years, resident of Village Ummed Nagar, Tehsil Tinwari, District Jodhpur, Rajasthan.

----Appellant

Versus

1. The State of Rajasthan, through Secretary, Department of the Revenue, Government of Rajasthan, Jaipur.
2. District Collector, Jodhpur.
3. Tehsildar, Tinwari, District Jodhpur.
4. Vikash Adhikari, Panchayat Samiti Tinwari, District Jodhpur.
5. Bhura Ram son of Keshu Ram, aged about 65 Years, resident of Navoda Bera, Village Sant Kriparam, Nagar, Post Ummed Nagar, Tehsil Tinwari, District Jodhpur (Raj.).
6. Shyam Lal son of Budha Ram, resident of Godaro Ka Bera, Village Sant Kriparam Nagar, Post Ummed Nagar, Tehsil Tinwari, District Jodhpur (Raj.)

----Respondents

For Appellant(s)	:	Mr. Lokesh Mathur, Advocate Mr. Dinesh Pal Singh Charan, Adv. Mr. Priyansh Arora, Adv.
For Respondent(s)	:	--

**HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

03/07/2025

Having regard to the issues involved in the present Special Appeal, the prayer made by the appellant seeking leave to appeal against the judgment and order dated 15th May 2025 passed in S.B. Civil Writ Petition No.9280 of 2025 is granted.

2. S.B. Civil Writ Petition No.9280 of 2025 was filed by Bhura Ram and Shyam Lal both residents of village Sant Kriparam Nagar within the District of Jodhpur making an allegation that the creation of a new revenue village named as "Khushhal Nagar" was at the instance of the Sarpanch of the village whose father-in-law carries the same name. The writ Court accepting this plea and considering the decisions of the Court in S.B. Civil Writ Petition No.3470 of 2025 titled "*Moola Ram vs. State of Rajasthan & Ors.*" and S.B. Civil Writ Petition No.7275 of 2025 titled "*Joga Ram & Anr. vs. State of Rajasthan & Ors.*" allowed the writ petition without calling for an affidavit on behalf of the State respondents.

3. Mr. Lokesh Mathur, the learned counsel for the appellant submits that not only the necessary party such as Gram Panchayat was not made a party respondent in the writ petition, the order dated 15th May 2025 does not even record agreement or disagreement of the learned Additional Advocate General appearing on behalf of the State respondents. The learned Counsel for the appellant further submits that the writ petition was misconceived inasmuch as the name of the father-in-law of the Sarpanch is not "Khushhal" and, in fact, by a unanimous decision of the Gram Panchayat the name of the new revenue village was decided to be "Khushhal Nagar".

4. The learned counsel for the appellant brings to the notice of this Court the order passed in D.B. Special Appeal Writ No.399 of 2025.

5. Considered.

6. Issue notice, returnable within six weeks.

7. Requisite PF and notice be filed within two weeks.

8. In the meantime, effect and operation of the order dated 15th May 2025 passed in S.B. Civil Writ Petition No.9280 of 2025 shall remain stayed.

(SANDEEP SHAH),J

(SHREE CHANDRASHEKHAR),J

148s-DivyaTak/-