

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

S.B. Civil Writ Petition No. 13237/2026  
CRN: RJHC010601332026  
URN: CW / 24087U / 2026

Nagendra Singh Rathore

-----Petitioner

Versus

Union Of India

-----Respondent

Connected With

1. S.B. Civil Writ Petition No. 13226/2026 (URN: CW / 24068U / 2026)
2. S.B. Civil Writ Petition No. 13247/2026 (URN: CW / 24100U / 2026)
3. S.B. Civil Writ Petition No. 13249/2026 (URN: CW / 24104U / 2026)
4. S.B. Civil Writ Petition No. 13250/2026 (URN: CW / 24105U / 2026)
5. S.B. Civil Writ Petition No. 13251/2026 (URN: CW / 24107U / 2026)
6. S.B. Civil Writ Petition No. 13269/2026 (URN: CW / 24139U / 2026)

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| For Petitioner(s) | : | Mr. C.S. Kotwani<br>with Mr Chinmay Shekhar Kotwani                                                                                                                                                                            |
| For Respondent(s) | : | Mr. Bharat Vyas, ASG (through VC)<br>assisted by Ms. Neeti Jain Bhandari<br>& Mr. Vaibhav Bhansali<br>Mr. N.S. Rajpurohit, AAG<br>Dr. Manju, District Collector and Mr.<br>Ravinidra Singh Yadav, Commissioner<br>(through VC) |

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**HON'BLE MR. JUSTICE SAMEER JAIN**

**Order**

**06/07/2026**

1. At the outset, learned counsel for the petitioner, Mr. C.S. Kotwani has submitted that the Chittorgarh Fort is a living fort and

that in the year 2004, when a rehabilitation scheme was formulated, no drive for removal of encroachments was initiated, by the respondents. It is submitted that the petitioners were not served with any notice and an *ex parte* demolition attempt was made against the property where as on date the petitioners are residing. It is further submitted that the petitioners were not afforded with any opportunity of hearing, thus resulting in violation of principles of natural justice.

2. In support of the said contentions learned counsel has relied upon the ratio encapsulated in **SBCWP No. 19815/2025** titled **Amardin Khan v. Union of India and Ors.** (along with other connected petitions), wherein akin controversy, but pertaining to the Jaisalmer Fort was considered and therein interim protection was granted in favor of the petitioners. It is further submitted that even *arguendo* it is assumed that certain properties are to be demolished, appropriate procedure is ought to be followed and specific timeline is to be followed along with categorical time stipulation in between which the petitioners/ aggrieved persons could appear before the authorities concerned and raise their defence/ grievances.

3. *Per contra*, learned ASG assisted by other counsel have unanimously submitted that repeated notices were issued in the year 2024 *qua* the petitioners, but no heed was paid to them by the petitioners. It is apprised to the Court that the notices were also sent to the concerned authorities, i.e., the Collector and other agencies, but no action was taken by them.

4. Dr. Manju, Collector, Dist. Chittorgarh along Shri Ravinidra Singh Yadav, Commissioner, Dist. Chittorgarh appeared through

V.C. and have unanimously submitted that some of the properties in question pertain to the persons belonging to Scheduled Tribe, and that there is no registered title in favor of the petitioners over the properties, as stated. It is also brought to the notice of the Court that a number of constructions are of commercial nature/used for commercial purposes, without attaining any permission from the authorities concerned. Moreover, the same is fairly conceded by the petitioners during the course of arguments.

5. Learned AAG being in unanimity with the submissions made by the Collector, and the Commissioner, have averred that the reply shall be filed during the course of the day.

6. Heard.

7. Let these matters be listed on 08.07.2026 at 2:00 p.m. in the supplementary cause list.

8. The Collector and the Commissioner concerned shall mark their presence through V.C., on the next date of hearing.

**(SAMEER JAIN),J**