

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

S.B. Civil Writ Petition No. 13412/2026

CNR: RJHC010610712026

URN: CW / 24390U / 2026

Adharim S/o Buran, Aged About 69 Years, R/o Village Bhuniya,
Tehsil Dhanau, District Barmer (Rajasthan)

----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary,
Department Of Panchayati Raj. Government Of Rajasthan,
Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate,
Chouhtan District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent
Administrator/ Gram Vikas Officer (Gvo), Panchayat
Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer),
Panchayat Samit Dhanau District Barmer Rajasthan.

----Respondents

connected with

S.B. Civil Writ Petition No. 13414/2026

CNR: RJHC010610682026

URN: CW / 24392U / 2026

Husen S/o Jamil, Aged About 71 Years, R/o Village
Bhuniya ,tehsil Dhanau, District Barmer (Rajasthan).

----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary,
Department Of Panchayati Raj. Government Of
Rajasthan, Government Of Secretariat, Jaipur
(Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional
Magistrate, Chouhtan District Barmer Rajasthan.

4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

----Respondents

S.B. Civil Writ Petition No. 13415/2026

CNR: RJHC010610582026

URN: CW / 24393U / 2026

Khamisha Khan S/o Jamila Khan, Aged About 43 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary, Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan, District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

----Respondents

S.B. Civil Writ Petition No. 13416/2026

CNR: RJHC010610602026

URN: CW / 24394U / 2026

Jamil S/o Eadhal, Aged About 64 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary,

Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)

2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

-----Respondents

S.B. Civil Writ Petition No. 13417/2026

CNR: RJHC010610652026

URN: CW / 24395U / 2026

Jama Mansjid Society Bhooniya, Through Its Secretary Taj Mohammad S/o Achar Khan, Aged About 42 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary, Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

-----Respondents

S.B. Civil Writ Petition No. 13418/2026

CNR: RJHC010610732026

URN: CW / 24396U / 2026

Rahim S/o Late Karim, Aged About 67 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary, Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

-----Respondents

S.B. Civil Writ Petition No. 13419/2026

CNR: RJHC010610432026

URN: CW / 24397U / 2026

Sakur S/o Ali, Aged About 83 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary, Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan, District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its

Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.

5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

----Respondents

S.B. Civil Writ Petition No. 13420/2026

CNR: RJHC010610412026

URN: CW / 24398U / 2026

Maji S/o Dina, Aged About 49 Years, R/o Village Bhuniya, Tehsil Dhanau, District Barmer Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Worth Secretary, Department Of Panchayati Raj. Government Of Rajasthan, Government Of Secretariat, Jaipur (Rajasthan)
2. The District Collector, Barmer Rajasthan.
3. The Sub Divisional Officer Cum Sub Divisional Magistrate, Chouhtan District Barmer Rajasthan.
4. Gram Panchayat Bhooniya, Through Its Competent Administrator/ Gram Vikas Officer (Gvo), Panchayat Samiti Dhanau, District Barmer Rajasthan.
5. The Vikas Adhikari (Block Development Officer), Panchayat Samit Dhanau District Barmer Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Priyank Kewaliya
For Respondent(s)	:	Mr. I.R. Choudhary Mr. Moti Singh Mr. Kuldeep Vaishnav with Mr. Arpit Yoganandi

HON'BLE MR. JUSTICE SAMEER JAIN**Order****09/07/2026**

1. S.B. Civil Writ Petition No. 13412/2026 is filed with the following prayers, *mutatis mutandis* to the connected petitions:-

"a) Issue an appropriate writ, order, or direction in the nature of Mandamus, quashing and setting aside the impugned Order/Notice dated 22.05.2026 and impugned notice dated 22.06.2026 issued by Respondent with respect to the Petitioner's legally owned pattaSudha property situated at Khasra No. 461, Village Bhuniya, Tehsil Dhanau, District Barmer. (Annexure-4)

b) Issue a writ of Mandamus permanently commanding and directing the Respondents, their field agents, and subordinates to strictly refrain from undertaking any demolition, structural alteration, forceful dispossession, or interference of any nature over the Petitioner's residential plot held under Patta within Khasra No. 461.

c) Award the exemplary costs of this litigation to the humble Petitioner for suffering unwarranted mental agony and financial distress due to blatant administrative overreach.

d) Pass any other, further, or consequential relief/orders which this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the present case."

2. Taking note of the fact that the petitions herein revolve around akin issues and factual narrative, pleading identical reliefs, with consensus drawn inter-se the parties, the present petitions have been clubbed together; S.B. Civil Writ Petition No. 13412/2026 has been taken up as the lead petition and; the instant batch of petitions is adjudicated vide a common judgment, which shall be made applicable on *mutatis mutandis* basis, on all the connected petitions.

3. Learned counsel for the petitioners submit that without following due procedure of law and in a predetermined manner, show cause notices/orders dated 20-05-2026 and 22-06-2026 have been issued for his property situated at Khasra No. 461 as per Annexure.4. It is submitted that the same is issued without any cogent jurisdiction, in violation of the applicable laws.

4. Learned counsel for the petitioner has contended that the petitioner was residing in the said place from decades; and is the lawful owner of the same, however, it is apprehended that his premises might be demolished on the basis of the notice, the same which is reproduced hereinbelow:-

"(1) इस कार्यालय से पूर्व में जारी स्थगन आदेश एवं नोटिस की आपके / अज्ञात / अतिक्रमी द्वारा जानबूझकर पालना नहीं की गई, जो अपराध की श्रेणी में आता है। दिनांक 28.05.2026 को राजकीय अवकाश होने के कारण 29.05.2026 से 01.06.2026 तक सार्वजनिक सूचना के जरिए भूमि के स्वामित्व / निर्माण से संबंधित कोई मूल (असल) दस्तावेज इत्यादि एवं अपना जवाबदावा पंचायत कार्यालय में प्रस्तुत करने हेतु समय दिया गया था लेकिन आप द्वारा सुसंगत दस्तावेज आज दिनांक तक प्रस्तुत नहीं किए गए हैं।

(2) अतः आपके उक्त अतिक्रमण / अवैध निर्माण को जनहित में तत्काल हटाकर लिखित में पालना रिपोर्ट दिनांक 30.06.2026 को दोपहर 12 बजे तक पंचायत कार्यालय में पेश करें अन्यथा इस कार्यालय द्वारा उपखण्ड प्रशासन / पुलिस ईमदाद से उक्त अतिक्रमण / अवैध निर्माण हटाने की कार्यवाही की जायेगी। जिसका समस्त हर्जा खर्चा मोके पर जब्त होने वाली अतिक्रमण की वस्तुओं को पंचायत के कब्जे में लेकर वसूल किया जायेगा।"

5. Learned counsel for the respondents have submitted that there is an alternate efficacious remedy and disputed questions of fact arise. It is submitted that the petitioner may file his evidence, submit his reply, which will be considered in accordance with law and thereafter a speaking order will be passed. They have also undertaken that they will not take any further coercive steps without verification.

6. Heard and perused the material available on record.
7. Upon scanning the record, it is noted that the petitioner was given audience, but he willfully has not marked his appearance. Therefore, a notice was again issued, stating that the allegations are that he has encroached upon the property and the same should be removed in the public interest, as the same is not in accordance with law, and against the settled principle.
8. In the light of the submissions and the agreement entered into between the parties that the notice will be adjudicated fairly in accordance with law after consideration of evidence and defence of the petitioner, this Court deems it appropriate to dispose of the writ petitions with a direction that appropriate orders be passed in the cases of petitioners. It is also clarified that no prejudice will be caused to either of the parties on account the present order. It also recognized that the undertaking given by respondents shall be operational till disposal of the representations/ notice/ application/ grievance of the petitioners, and till such adjudication is made, no coercive action will be taken against them, by the respondents. This Court also expect that the entire exercise will be culminated within a period of 30 days and the petitioner will submit his defence within a period of fortnight from the date of passing of this order.
9. Accordingly, the present petitions are disposed of. Pending applications, if any, stand disposed.
10. A copy of this order be placed in connected files.

(SAMEER JAIN),J