

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

D.B. Spl. Appl. Writ No. 979/2025

Bhanwaroo Ram S/o Shri Mangilal, Aged About 53 Years, R/o Village Deshwal, Tehsil Merta, District Nagaur, Rajasthan.

----Appellant

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur, Rajasthan.
2. Keshar Devi W/o Late Shri Kalu Ram, Aged About 62 Years, R/o Deshwal, Tehsil - Merta, District Nagaur.
3. Sub Divisional Magistrate Merta, Sub Division, Merta District Nagaur, Rajasthan
4. Tehsildar, Tehsil Merta, District Nagaur, Rajasthan
5. Patwari Of Patwar Area, Oladan, Tehsil Merta, District Nagaur, Rajasthan

----Respondents

For Appellant(s)	:	Mr. Ram Dev Potalia
For Respondent(s)	:	Mr. Mayank Khatri for Mr. Vishal Sharma

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP TANEJA**

Order

28/08/2025

1. Learned counsel for the appellant has challenged the interim order dated 26.05.2025, which reads as under :-

- "1. Issue notice to the respondents. Issue notice of the stay application also.
2. Mr. Bheru Lal Jat, learned counsel accepts notice on behalf of respondent No.1.
3. Let notice returnable within a period of six weeks be issued to respondent Nos.2 to 4.

4. Meanwhile, status quo in relation to the petitioner's possession and construction over the land in question shall be maintained."

2. The order reflects that it was only at the threshold and at the initial stage aforesaid order was passed and, therefore, rather than pursuing the appeal, the appellant had efficacious remedy of moving an application for vacation of the interim order and could have contested the same.

3. Having such an opinion, the present Special Appeal (Writ) is disposed of with liberty to the appellant to move an application for vacation of the interim order and make submission before the learned Single Bench.

4. It is made clear that we have not heard the matter on merits and this order shall not prejudice either of the parties on the merits.

(SANDEEP TANEJA), J (DR. PUSHPENDRA SINGH BHATI),J