

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

S.B. Civil Writ Petition No. 14159/2026
CNR: RJHC010652942026
URN: CW / 25849U / 2026

1. Arjun Singh S/o Pratap Singh, Aged About 60 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
2. Devi Singh S/o Kan Singh, Aged About 60 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
3. Dungar Singh S/o Mohan Singh, Aged About 58 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
4. Vachan Singh S/o Mohan Singh, Aged About 54 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
5. Chotu Singh S/o Arjun Singh, Aged About 40 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
6. Narayan Singh S/o Arjun Singh, Aged About 38 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali
7. Mahendra Singh S/o Arjun Singh, Aged About 36 Years, R/o Village Angor Post Kohli Wada Tehsil Sumerpur Dist. Pali

-----Petitioners

Versus

1. The District Collector, Pali
2. The Sub Divisional Officer (Sdo), Sumerpur Dist. Pali
3. The Tehsildar, Sumerpur Dist. Pali
4. The Station House Officer Sho, Ps Sumerpur Dist. Pali
5. The Executive Engineer, Jawai Canal Dist. Pali

-----Respondents

For Petitioner(s) : Mr. Moti Singh.

For Respondent(s) : Mr. SR Paliwal, GC.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

10/07/2026

The writ petition has been preferred by the petitioners claiming the following relief:-

“It is therefore most humbly prayed that this writ petition may kindly be allowed: -

A. That by an appropriate writ, order, or direction, the impugned orders dated 08.05.2026 (Annexure-10) passed by the Tehsildar, Sumerpur in Revenue Case Nos.7/2026, 8/2026, 9/2026, and 10/2026 may kindly be quashed and set aside.

B. That by an appropriate writ, order, or direction, the consequential communications/orders dated 12.06.2026 (Annexure-15) and 22.06.2026 (Annexure-16) issued by the Tehsildar, Sumerpur may kindly be declared illegal, arbitrary, and be quashed and set aside.

C. That by an appropriate writ, order, or direction, the respondents may kindly be restrained from interfering with the peaceful possession, cultivation, and enjoyment of the petitioners' Khatedari land comprising Khasra Nos. 306/317, 257/304, 256, 254, and 257 of Village Angor, Tehsil Sumerpur under the garb of clearing any alleged encroachment on Khasra No. 253 and further restricted to installation/establish of any alternate way from the Khatadari land of the petitioner and the Khasra No. 253 of Village Angor, Tehsil Sumerpur, District Pali,

D. That the any other relief, which this Hon'ble Court deems fit to protect and maintained the healthy judicial system in State of Rajasthan, by which the petitioners may get full justice may also be allowed."

Learned counsel for the petitioners submits that the present writ petition has been filed against the action of the respondents, whereby they are seeking to utilize the petitioners' khatedari land bearing Khasra Nos.306/17, 257/304, 256, 254 & 257 **(Annexure-6)** for providing a route for transportation of vehicles pursuant to the directions issued by this Court in ***S.B. Civil Writ Petition No. 10268/2026 (Sumer Singh & Ors. Vs. The District Collector & Ors.)***, which was preferred by the mining lease holders. The relevant portion of which reads as follows:-

"8. After removal of said pillars, while keeping in mind the issue of public safety, it shall be open for the respondent authorities to take necessary precautions, including installation of speed breakers of prescribed size, height, and distance along the abadi area of the village.

9. Respondent authorities are further directed to expedite the process of making available the proposed alternative way for plying of transport vehicles, as shown to this Court in the proposed map, so as to finally resolve the issue."

Per contra, Mr. S.R. Paliwal, learned Government Counsel, on instructions, submits that pursuant to the directions, the respondent-authorities explored the possibility of providing an alternative route and found that the proposed route can be provided through Khasra No.253, which is recorded as "*Gair Mumkin Nehar*" and is under the control of the Irrigation

Department. He further submits that the respondents are not proposing to utilize any portion of the petitioners' land for the proposed alternative route.

Learned counsel for the petitioners submits that the petitioners have no objection if the respondent-authorities provide the proposed alternative route through Khasra No.253 or any other land legally available for the said purpose, provided that no part of the petitioners' khatedari land is utilized or interfered with in any manner.

In view of the assurance given by the learned Government Counsel, on instructions from the respondent-authorities, that the petitioners' khatedari land shall not be utilized for providing the proposed alternative route, and in view of the statement made by the learned counsel for the petitioners that they have no objection if the route is provided through Khasra No.253 or any other legally available land without affecting their khatedari land, the present writ petition stands disposed of.

However, if the petitioners still have any surviving grievance regarding the demarcation or measurement of the land in question, they shall be at liberty to file an appropriate representation/application before the Tehsildar, Sumerpur, seeking demarcation and measurement of the concerned khasra numbers. If such representation/application is filed, the Tehsildar shall consider and decide the same strictly in accordance with law.

Stay petition as well as all pending applications, if any, stand disposed of.

(MUKESH RAJPUROHIT),J