

HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 14605/2026
CNR: RJHC010676212026
URN: CW / 26666U / 2026

Moti Ram S/o Madu Ram, Aged About 44 Years, R/o Village Deengli, Tehsil- Rajgarh, District- Churu.

----Petitioner

Versus

1. The Sub-Divisional Officer, Rajgarh, District- Churu.
2. The Tehsildar, Rajgarh, District- Churu.
3. The Naib-Tehsildar, Hamirwas, Tehsil- Rajgarh, District- Churu.
4. Dr. Manoj Khemada, Sub-Divisional Officer, Rajgarh, District- Churu.
5. Ram Singh Saini, Tehsildar, Rajgarh, District- Churu.
6. Shri Mohar Singh, Naib-Tehsildar, Hamirwas, Tehsil- Rajgarh, District- Churu.
7. Asha Devi D/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
8. Gulabi Devi W/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
9. Gomti Devi D/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
10. Mahipal S/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
11. Meena Devi D/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
12. Saroj Devi D/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
13. Seema Devi D/o Subhashchandra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
14. Mahaveer S/o Lodha Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
15. Rohtash S/o Mamchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
16. Biharilal S/o Mamchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
17. Sheeshram S/o Mamchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
18. Indra D/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
19. Umed Singh S/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
20. Jagdish Prasad S/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.

21. Vidhyadhar S/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
22. Subhita D/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
23. Sarvani D/o Fhula Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
24. Ishwar Singh S/o Sheoram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
25. Jeet Singh S/o Bahadur Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
26. Balveer S/o Dana Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
27. Ran Singh S/o Dana Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
28. Rajesh S/o Bahadur Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
29. Vijaylaxmi W/o Balveer Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
30. Satveer S/o Dana Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
31. Santosh W/o Ranveer, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
32. Shilochna W/o Satyaveer Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
33. Om Prakash S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
34. Jagdish S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
35. Prem Kumar S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
36. Pawan Kumar Agarwal S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
37. Pintu Kumar Agarwal S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
38. Manju Devi D/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
39. Meera Agarwal D/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
40. Ramavtar S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
41. Sajjan S/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
42. Savitri D/o Balwari Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
43. Balbir Singh S/o Bhagwana Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.

44. Antram S/o Tekchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
45. Nar Singh S/o Tekchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
46. Madan Lal S/o Prabhudayal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
47. Rajendra S/o Tekchand, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
48. Suresh Kumar S/o Prabhudayal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
49. Krishn Kumar S/o Rajendra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
50. Jay Singh S/o Madu Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
51. Dharmendra S/o Rudhveer, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
52. Pradeep S/o Rajendra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
53. Meva Singh S/o Amar Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
54. Meharwani W/o Rudhveer Vijendra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
55. Ravi S/o Rajendra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
56. Ramswaroop S/o Amar Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
57. Lichma W/o Rajendra, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
58. Satyaveer Singh S/o Amar Singh, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
59. Surendra S/o Madu Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
60. Reshma W/o Lok Ram, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.
61. Hanskaur W/o Kishori Lal, Resident Of Village Deengli, Tehsil- Rajgarh, District- Churu.

----Respondents

For Petitioner(s)	:	Mr. Raj Vishnoi for Mr. R.S. Choudhary Mr. J.K. Suthar
For Respondent(s)	:	-

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

14/07/2026

1. Learned counsel for the petitioner submits that the petitioner has a 1/8th share in the joint khatedari land comprised in Khasra Nos. 534, 535 and 620/536, situated at Village Deengal, Tehsil Rajgarh, District Churu. He submits that a suit for partition in respect of the said land is pending consideration. It is further submitted that respondent Nos. 7 to 61 filed an application under Section 251 of the Rajasthan Tenancy Act before the Sub-Divisional Officer, Rajgarh, alleging that the petitioner had obstructed an old passage having a width of 20 feet passing through his khatedari land. Pursuant thereto, the Sub-Divisional Officer, Rajgarh directed the Tehsildar, Rajgarh to take necessary action regarding the alleged passage. The Tehsildar, vide order dated 21.05.2026, directed the concerned Patwari to submit a *mauka* report and site inspection report. Thereafter, the Patwari submitted his report dated 26.05.2026, on the basis whereof the Tehsildar, vide order dated 01.06.2026, constituted a committee and directed it to open the alleged passage.

Learned counsel further submits that despite the pendency of the aforesaid proceedings under Section 251 of the Rajasthan Tenancy Act, the private respondents instituted another application under Section 251A of the Rajasthan Tenancy Act read with Sections 131 and 132 of the Rajasthan Land Revenue Act before the Sub-Divisional Officer, Rajgarh, raising substantially the same allegations. Notices were ordered to be issued in the said proceedings. However, during the pendency of the proceedings,

the concerned Patwari conducted a site inspection and prepared a report dated 22.06.2026, which was submitted before the tehsildar along with an application requesting tehsildar to get the old ways listed out in his report, recorded in the revenue record as well as revenue maps. The tehsildar forwarded the said application to the SDO, and vide order dated 03.07.2026, the learned Sub-Divisional Officer, Rajgarh allowed the application dated 22.06.2026, without affording any opportunity of hearing to the petitioner, and directed that the proposed passage be entered in the revenue records as "*Gair Mumkin Rasta.*"

2. Having heard learned counsel for the petitioner and upon perusal of the material available on record, this Court finds that the matter requires consideration

3. Issue notice to the respondents. Issue notice on the stay application also, returnable within a period of six weeks.

4. List the matter after six weeks.

5. In the meanwhile, and until the next date of hearing, both the parties shall maintain status quo with regard to the land in question as it exists today. It is further directed that no alteration shall be made in the revenue record concerning the petitioner's rights pursuant to the impugned order.

(MUKESH RAJPUROHIT),J