

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

S.B. Civil Writ Petition No. 15524/2025

Hemant Rajak S/o Shri Madan Lal Rajak, Aged About 43 Years,
R/o Bohra Sadan, Near Pawan Hotel, Rajnagar, District Rajnagar.
At Present Ward Member Of Ward No. 39, Nagar Palika,
Rajsamand.

----Petitioner

Versus

1. State Of Rajasthan, Through The Director And Special Secretary, Local Self Government, Government Of Rajasthan, Jaipur.
2. The District Collector, Rajsamand.
3. The Municipal Council, Rajsamand Through Its Commissioner.

----Respondents

For Petitioner(s)	:	Mr. Abhimanyu Khatri
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

By way of filing the present writ petition under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:

"It is, therefore, respectfully prayed that your Lordship may be pleased to allow this writ petition and by an appropriate writ, order or direction; -

(a) Quash and set aside the impugned order dated 27.03.2025 (Annex.5) issued by the District Collector, Rajsamand by which the formation the Municipal Council, Rajsamand has not made as per guidelines issued by the department vide order dated 22.11.2024 (Annex.2).

(b) Respondents may kindly be directed to consider and decision the Objections cum representations Annex.8 raised by petitioners and other aggrieved persons in accordance with law and communicate its outcome to the petitioner.

(c) Any other appropriate order which deemed just and in the facts proper and circumstances of the case may kindly be also passed; and

(d) the petitioners may kindly be allowed the costs of writ petition."

2. Learned counsel for the petitioner submits that the controversy with regard to the change of boundaries of Municipal Wards in absence of change of census or change in the number of Wards or change in the territorial boundaries of the Municipality has already been set to rests by the Hon'ble Division Bench of this Court at Jaipur in a batch of writ petitions led by D.B. Civil Writ Petition No.7718/2025 titled as '**Sheela Kumari v. State of Rajasthan & Ors.**' decided on 18.11.2025.

The directions issued by the Hon'ble Division Bench of this Court at Jaipur in the case of **Sheela Kumari (supra)** are reproduced below for ready reference:

"224.1 In view of the adjudication made and conclusion drawn in Part-A of the judgment, the writ petitions challenging the final notifications issued under Section 3 of the Act of 2009 as well as Section 101 of the Act of 1994, are dismissed.

224.2 In view of the adjudication made and conclusion drawn in Part-B of the judgment, D.B. Civil Special Appeal (Writ) No.831/2025 (State of Rajasthan and Ors. Vs. Dhanna Ram and Ors.) and other special appeals challenging the interim order dated 23.05.2025 to the extent of Para 7 & 8 of the same, are allowed.

All the writ petitions challenging the process of delimitation initiated in pursuance of the notices issued under Section 101 of the Act of 1994, are dismissed.

It is directed that the concerned District Collectors shall send the proposal for delimitation to the state Government and the three members high-level committee constituted for the purpose of examining the same, shall take final decision upon the proposals for delimitation so sent by the concerned District Collectors in an objective manner. The State Government shall complete the entire exercise of delimitation on or before 31.12.2025.

224.3 In view of the adjudication made and conclusion drawn in Part-C of the judgment, the writ petitions challenging the process of delimitation/change of boundaries of the municipal wards in absence of change of census or change in the number of wards or change in the territorial boundaries of the municipality, are allowed. The respondents are directed not to effect any change in the internal boundaries of the municipal wards in such cases.

Consequently, D.B. Special Appeal (Writ) No.1005/2025 (State of Rajasthan & Ors. Vs Narayan Singh Solanki & Ors.) filed for challenging the interim order dated 11.06.2025, is hereby dismissed.

224.4 In view of the adjudication made and conclusion drawn in Part-D of the judgment, the writ petitions challenging removal of Panchayat Samiti Member / Pradhan, on account of delimitation of respective areas / wards, are hereby dismissed.

224.5 In view of the adjudication made and conclusion drawn in Part-E of the judgment, the writ petitions relating to appointment of the administrator, are dismissed.

224.6 In view of the adjudication made and conclusion drawn in Part-F of the judgment, the writ petitions praying for fixing/nominating the village headquarter are dismissed.

224.7 In view of the adjudication made and conclusion drawn in Part-G of the judgment, D. B. Civil Writ Petition (PIL) No.4686/2025 [Sanyam Lodha Vs. State of Rajasthan] as well as D. B. Civil Writ Petition No. 1285/2025 (Giriraj Singh Devanda vs. State of Rajasthan & ors.) praying for a direction for holding the elections of Municipality or Panchayati Raj Institutions, respectively, are disposed of with a direction to the State Government that after completing the delimitation exercise, elections of all the Local Self Bodies i.e. Panchayats as well as Municipality, shall immediately be conducted simultaneously and the entire exercise for such elections shall be completed on or before 15.04.2026.

224.8 To promote the spirit of 'Save Paper - Save Environment', the Registry of this Court is directed that, while placing a copy of this judgment in concerned files as well as while processing applications for issuance of certified copies of this judgment pertaining to any specific writ petition or special appeal, it shall issue a certified copy comprising the first page of the judgment, the relevant page showing the cause title of the respective writ petition/special appeal, and the full text of the judgment beginning from Page No.288 of this judgment."

[emphasis supplied]

In view of the aforesaid submissions made at Bar by the learned counsel for the petitioner, the present writ petition is disposed of with a direction to the respondents to adhere to the directions issued in para 224.3 issued by the Division Bench of this Court at Jaipur in the case of ***Sheela Kumari (supra)***.

Stay petition stands disposed of.

(KULDEEP MATHUR),J