

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

D.B. Special Appeal (Writ) No. 1129/2025

Gram Panchayat, Asota, Panchayat Samiti, Ladnu through its Administrator Hardyal Rulania son of Shri Girdhari Ram, aged about 40 Years, resident of Bhiyani, Tehsil Ladnu, District Nagaur (Raj.).

----Appellant

Versus

1.

The State of Rajasthan, through the Secretary, Department of Revenue (Group-9) Secretariat, Jaipur.
2.

The Chief Town Planner, Town Planning Department, Jaipur
3.

Additional Chief Town Planner (West), Town Planning Department, Jaipur.
4.

The Senior Town Planner, Bikaner Zone, Bikaner.
5.

The Municipal Council, Sujangarh, District Churu through its Commissioner.
6.

The District Collector, Deedwana-Kuchaman.

----Respondents

For Appellant(s)	:	Mr. Rajesh Joshi, Sr. Advocate assisted by Mr. Himanshu Ranjan
For Respondent(s)	:	Mr. Rajesh Panwar, Sr. Advocate-cum-AAG, assisted by Mr. Ayush Gehlot

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

24/02/2026

1.

Learned senior counsel appearing for the appellant submits that the learned Single Judge has proceeded to decide the writ petition solely on the basis of the averments made by the respondents that a notification was issued under Section 7 of the Rajasthan Urban Improvement Act, 1959 (for short, "the Act of

1959”) on 24.09.2021, which was not challenged in the writ petition. Learned counsel further submits that there was no notification dated 24.09.2021 and, in fact, the notification under Section 7 of the Act of 1959 was issued on 24.11.2021, which was duly challenged by the appellant. However, the learned Single Judge, relying upon the reply filed by the respondents, proceeded to decide the writ petition on the assumption that the notification was issued on 24.09.2021.

2. Upon a specific query made to the learned senior counsel-cum- Additional Advocate General appearing for the State, it was candidly stated that the notification was issued only on 24.11.2021 and there was no notification of 24.09.2021.

3. In view of the aforesaid situation, we deem it appropriate to grant liberty to the appellant to file an appropriate review petition before the learned Single Judge to examine the case on merits.

4. Accordingly, the present special appeal (writ) is disposed of with the liberty as aforesaid.

5. All pending applications also stand disposed of.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACJ