

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 20537/2025

Suresh Choudhary

-----Petitioner

Versus

The State Of Rajasthan

-----Respondent

Connected With

S.B. Civil Writ Petition No. 296/2025

Gram Panchayat

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Moti Singh
For Respondent(s)	:	Mr. Sanjay Raj Paliwal, GC Mr. Aishwarya Anand Mr. J.K. Rankawat Mr. Harshvardhan Thanvi for Mr. Ankur Mathur

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

23/03/2026

S.B. Civil Writ Petition No. 296/2025 :

1. Present writ petition is filed challenging order dated 09.01.2025 passed by Tehsildar, Makrana, District Didwana-Kuchaman against construction of circle over the land of PWD. In the writ petition, interim order was passed on 08.01.2025 and same was confirmed by order dated 06.09.2025.
2. It is pointed out on behalf of respondent that earlier, the order was not the subject matter of writ petition, but same has been challenged by way of amended writ petition and this Court, vide order dated 16.07.2025, while accepting the amended application has made

it clear that it will be open for the respondent to raise plea that the order was passed by Tehsildar, Makrana under Section 91 of the Rajasthan Land Revenue Act, 1956 is appealable and thus, the writ petition is not maintainable on the ground of non-exhaustion of alternate remedy.

S.B. Civil Writ Petition No. 20537/2025 :

1. This writ petition is filed praying for removal of encroachment with regard to the same piece of land and this Court, vide order dated 16.12.2025, has directed to tag both the petitions together.
2. Learned counsel for the State presses for earlier disposal of the writ petition, however, learned counsel for the petitioner in S.B.C.W.P. No. 296/2025, submits that an interim order has already been confirmed till final disposal of the writ petition and therefore, the same is required to be heard in the category of final disposal and shown his inability to argue the matter today on merits.
3. Looking to the issue involved in the present case which relates to construction upon the land of public way / P.W.D., let the matter be listed on 06.04.2026 in 'final disposal category' along with S.B. Civil Writ Petition No. 296/2025.
4. It will be open for the learned counsel for the parties to make mention about the matter.

(SANJEET PUROHIT),J