

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

S.B. Civil Writ Petition No. 21900/2025

Raichand Ram S/o Sagra Ram, Aged About 73 Years, R/o Village Pannaniyo Ki Dhani, Matte Ka Talla, Tehsil Chouhatan, District Barmer.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary Revenue (Group-1) Department, Govt. Of Rajasthan, Secretariat Jaipur.
2. District Collector, Barmer.
3. Sub Divisional Officer, Chouhtan, District Barmer.
4. Tehsildar (Land Record), Chouhtan, District Barmer.
5. Registrar, Board Of Revenue, Rajasthan, Ajmer.

-----Respondents

For Petitioner(s)	:	Mr. R.J. Punia.
For Respondent(s)	:	Mr. N.S. Rajpurohit, AAG. Mr. Sher Singh.

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Present writ petition has been filed challenging order dated 10.09.2025, whereby representation submitted by petitioner in pursuance of directions issued by this Court vide order dated 26.03.2025, passed in S.B.C.W.P. No. 6494/2025, has been rejected by District Collector, Barmer.
2. Learned counsel for the petitioner submits that representation of petitioner has been rejected in a pre-determined and cursory manner and without considering the objections raised by petitioner in relation to the name of revenue village. While referring to other such orders of deciding the representation

dated 18.8.2025 (Annexure-8), learned counsel for the petitioner states that as a matter of fact, in all other representations, specific finding has been recorded by District Collector, Barmer, regarding non-existence of specific person after whose name, allegedly the name of the revenue village has been fixed. However, no such finding has been recorded in case of petitioner.

3. Learned AAG submits that the impugned decision has been passed in view of circular dated 17.02.2025 as well as judgment passed by this Court in **S.B.C.W.P. No. 14930/2025** titled **Mala Ram Vs. State of Rajasthan & Ors.**

4. Learned counsel for the petitioner relies upon judgment dated 19.12.2025 passed by the Hon'ble Supreme Court in **SLP (C) No. 27965/2025** titled **Bhika Ram & Anr. Vs. State Of Rajasthan & Ors.**, relevant part of which is quoted below:-

"14. We have considered the rival submissions made on both sides and have perused the record. Section 16 of the Act, empowers the State Government to create, abolish or alter divisions etc. Section 16 of the Act is extracted below for the facility of reference:-

"Section 16 : Power to create, abolish or alter divisions etc.-

The State Government may by notification in the official Gazette-

(a) create new or abolish existing division districts, sub-districts, sub-divisions, tehsils and sub-tehsils, villages, and

(b) alter the limits of any of them."

15. The Revenue Department of the State Government issued a comprehensive circular on 20.08.2009, laying down the criteria for declaring a new Revenue Village. Clause 4 of the aforesaid circular, which is relevant for this Appeal, reads as under:-

4. While proposing the new Revenue Village, a proposal for its name shall also be forwarded. While deciding the name, it shall be ensured that it is not based on any person, religion, caste, or sub-caste. As far as possible, the name of the village shall be proposed with general consensus."

Thus, Clause 4 of the Circular mandates that the name of a Revenue Village shall not be based on any person, religion, caste or sub-caste, and the same shall be proposed with the general consensus.

16. The aforesaid circular is in the nature of a policy; decision. Clause 4 of the circular has been incorporated with an object to maintain communal harmony. It is well settled in law that a policy decision though executive in nature binds the Government, and the Government cannot act contrary thereto, unless the policy is lawfully amended or withdrawn. Any action taken in derogation of such a policy, without amendment or valid justification, is arbitrary and violative of Article 14 of the Constitution of India.

17. Admittedly, the names of the Revenue Villages, namely Amargarh and Sagatsar, are derived from the names of the individuals, namely Amarram and Sagatsar. The notification dated 31.12.2020 is, therefore, in contravention of Clause 4 of the circular dated 20.08.2009. The State Government cannot be permitted to act in contravention of the policy framed by it, which binds it. Therefore, no legal sanctity can be attached to the impugned notification dated 31.12.2020, insofar as it pertains to Revenue Villages, namely Amargarh and Sagatsar. The Division Bench failed to consider this material aspect and erred in limiting its consideration only; to the applicability of earlier decisions in Moola Ram and Joga Ram (supra). In any case, the lis pending before a Court is required to be adjudicated on merits."

5. Heard learned counsel for the parties and perused the material available on record.

6. In view of judgment passed in case of Bhika Ram (supra), it is clear that State-Authorities are bound to allow their own policy decision/guidelines and shall decide the issues, while strictly following the same so also after completing necessary enquiry in that regard. Said exercise has not been done in present case.

7. The rejection of petitioner's representation is apparently cursory and non-speaking. This Court finds that the rejection of petitioner's representation by District Collector, Barmer is neither in accordance with circular issued by State Government nor in compliance with directions passed in the cases of **Mala Ram** (supra) and **Bhika Ram** (supra).

8. In this view of the matter, present writ petition is **allowed**. Impugned order dated 10.09.2025 is quashed and set aside.

9. Petitioner is directed to file fresh representation before District Collector, Barmer, who is directed to decided the same strictly in accordance as well as circular dated 17.02.2025 issued by the State Government and the directions issued in cases of **Mala Ram** (supra) and **Bhika Ram** (supra). District Collector, Barmer shall pass a decision upon the representation of petitioner within a period of 7 days from the date of receipt of said representation, after granting opportunity of hearing to petitioner.

10. Stay application and all other pending applications, if any, also stand disposed of.

(SANJEET PUROHIT),J