

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

D.B. Spl. Appl. Writ No. 1394/2025

Banka Ram Chaudhary S/o Poonama Ram Choudhary, Aged About 42 Years, R/o Daukiyon Ki Dhani, Goliya Jetmal, Barmer, Rajasthan.

----Appellant

Versus

1. State Of Rajasthan, Through Secretary To The Government, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Jaipur.
2. The District Collector, Barmer.
3. Sub Divisional Officer, Gudamalani, District Barmer.
4. Tehsildar, Nokhada, District Barmer.
5. Ladhu Ram S/o Prahlad Ram, Aged About 46 Years, Neno Ki Dhani, Tehsil Nokhada, District Barmer (Raj.).

----Respondents

Connected With

D.B. Spl. Appl. Writ No. 1410/2025

1. Ashok S/o Kishana Ram, Aged About 28 Years, R/o Ajit Nagar, Bawarli, District Jodhpur, Rajasthan.
2. Deva Ram S/o Gunesha Ram, Aged About 28 Years, R/o Bhambhuon Ki Dhani, Bawarli, Balesar Satta, District Jodhpur Rajasthan
3. Hukma Ram S/o Gumna Ram, Aged About 27 Years, R/o Kadela Ki Dhani, Bawarli, Balesar, District Jodhpur, Rajasthan.

----Appellants

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Panchayati Raj, Government Of Rajasthan Secretariat, Jaipur.
2. The Secretary, Revenue Department, Government Of Rajasthan, Secretariat, Jaipur
3. District Collector, Jodhpur
4. Gram Panchayat Bawarli, Through Its Village Development Officer

5. Tehsildar, Balesar, District Jodhpur
6. Patwari, Balesar, District Jodhpur
7. Sub Divisional Officer, Balesar, District Jodhpur

----Respondents

D.B. Spl. Appl. Writ No. 1537/2025

1. Pinal S/o Meva Khan, Aged About 67 Years, R/o Ekaliya Dhora, Tehsil Dhanau, District Barmer (Raj.).
2. Aldad Khan S/o Haidar Khan, Aged About 49 Years, R/o Ekaliya Dhora, Tehsil Dhanau, District Barmer (Raj.).
3. Vachal S/o Meer Mohammad, Aged About 56 Years, R/o Ekaliya Dhora, Tehsil Dhanau, District Barmer (Raj.).

----Appellants

Versus

1. State Of Rajasthan, Through Secretary To The Government, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Jaipur.
2. The District Collector, Barmer.
3. Sub Divisional Officer, Chohatan, District Barmer.
4. Tehsildar, Dhanau, District Barmer.
5. Sarpach Gram Panchyat, Ekaliya Dhora, Panchyati Samiti Chohtan, District Barmer.

----Respondents

D.B. Spl. Appl. Writ No. 1604/2025

1. Yakub S/o Jameel, Aged About 43 Years, R/o Jameelniyon Ka Pada, Sanwa, Tehsil Dhanau, District Barmer.
2. Kurban S/o Umar, Aged About 44 Years, R/o Jameelniyon Ka Pada, Sanwa, Tehsil Dhanau, District Barmer.
3. Minyadad S/o Nur Mohammad, Aged About 29 Years, R/o Jameelniyon Ka Pada, Sanwa, Tehsil Dhanau, District Barmer.
4. Hakam S/o Bashir, Aged About 28 Years, R/o Jameelniyon Ka Pada, Sanwa, Tehsil Dhanau, District Barmer.

----Appellants

Versus

1. State Of Rajasthan, Through Secretary To The Government Rural Development Panchayati Raj

Department, Government Of Rajasthan, Jaipur.

2. The District Collector, Barmer.
3. Sub-Divisional Officer, Chohtan, District Barmer.
4. Tehsildar, Dhanau, District Barmer.
5. Patwari, Sanwa, Tehsil Dhanau, District Barmer.

-----Respondents

D.B. Spl. Appl. Writ No. 1612/2025

1. Ganga Singh S/o Shri Khet Dan, Aged About 72 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
2. Ishwar Dan S/o Shri Devi Dan, Aged About 43 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
3. Shambhu Dan S/o Shri Govind Dan, Aged About 55 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
4. Rawal Ram S/o Shri Mukna Ram Brahmin, Aged About 40 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
5. Durg Singh S/o Shri Sen Singh Rajput, Aged About 65 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
6. Moti Ram S/o Shri Kasba Ram Suthar, Aged About 64 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
7. Bhanwar Dan S/o Shri Devi Dan Dan Charan, Aged About 44 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
8. Champa Lal S/o Shri Himta Ram Prajapat, Aged About 55 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
9. Khinya Ram S/o Shri Dala Ram Suthar, Aged About 70 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
10. Jaipal Dan S/o Shri Senidan Charan, Aged About 43 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
11. Swaroop Dan S/o Shri Ghumardan Charan, Aged About 46 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
12. Senidan S/o Shri Govind Dan Charan, Aged About 65 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
13. Shrawan Kumar S/o Shri Bhanwar Lal, Aged About 38 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
14. Madhudan S/o Shri Kojudan Charan, Aged About 63 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.

15. Sumera Ram S/o Shri Sagta Ram, Aged About 38 Years, Resident Of Balesar Durgawata, Tehsil Balesar, District Jodhpur.
16. Ashok Kumar S/o Shri Bhinya Ram, Aged About 31 Years, Resident Of Devnagar, Tehsil Balesar, District Jodhpur.
17. Raju Ram S/o Shri Ranchhora Ram, Aged About 38 Years, Resident Of Devnagar, Tehsil Balesar, District Jodhpur.
18. Madho Singh S/o Shri Khushal Singh, Aged About 55 Years, Resident Of Devnagar, Tehsil Balesar, District Jodhpur.
19. Pepa Ram S/o Shri Mangna Ram, Aged About 42 Years, Resident Of Balesar Durgawata, Tehsil Balesar District Jodhpur.
20. Dhana Ram S/o Shri Jiya Ram, Aged About 24 Years, Resident Of Devnagar, Tehsil Balesar, District Jodhpur.
21. Deva Ram S/o Late Shri Mangi Lal, Aged About 27 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.
22. Bhoja Ram S/o Late Shri Moola Ram, Aged About 30 Years, Resident Of Judiya, Tehsil Balesar District Jodhpur.

----Appellants

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue Gr.ii, Government Of Rajasthan, Secretariat, Jaipur.
2. Dy Secretary, Department Of Revenue (Gr.i), Government Of Rajasthan, Secretariat, Jaipur.
3. Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
4. Board Of Revenue, Rajasthan, Ajmer Through Registrar.
5. The District Collector, Jodhpur.
6. Gram Panchayat, Judiya Panchayat Samiti Balesar District Jodhpur Through Its Village Development Officer.
7. Tehsildar (Revenue), Balesar District Jodhpur.
8. Sub Divisional Officer, Balesar District Jodhpur.
9. Patwari, Patwar Mandal Judiya ,district Jodhpur.

----Respondents

D.B. Spl. Appl. Writ No. 1720/2025

1. Mala Ram S/o Jakhu Ram Jhakhar, Aged About 37 Years, Resident Of Village Hatundi, Tehsil Baori, District Jodhpur, Rajasthan.
2. Puna Ram S/o Jetha Ram, Aged About 41 Years, Resident Of Harkanada, Village Hatundi, Tehsil Baori, District Jodhpur Rajasthan.

----Appellants

Versus

1. State Of Rajasthan, Through Secretary Department Of Revenue Gr-I, Government Of Rajasthan, Secretariat, Jaipur.
2. Dy Secretary, Department Of Revenue (Gr-1), Government Of Rajasthan, Secretariat, Jaipur.
3. Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
4. Board Of Revenue, Rajasthan, Ajmer, Through Its Registrar.
5. District Collector, (Land Record), Jodhpur.
6. Sub Divisional Officer, Baori, Jodhpur.
7. Tehsildar, (Revenue), Baori, Jodhpur.

----Respondents

D.B. Spl. Appl. Writ No. 1721/2025

Bhanwar Singh Rathore S/o Shri Narayan Singh, Aged About 61 Years, R/o Plot No. 36, Hanwant-B, Bjs Colony, Paota, Jodhpur, Tehsil And District Jodhpur (Raj.).

----Appellant

Versus

1. State Of Rajasthan, Through Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur.
2. District Collector, Jodhpur.
3. Tehsildar, Shergarh, District Jodhpur.
4. Vikash Adhikari, Panchayat Samiti Shekhala, District Jodhpur.

----Respondents

D.B. Spl. Appl. Writ No. 1778/2025

Gram Panchayat, Arniyali, Through Sarpanch, Shanti Devi W/o Bhera Ram, Age 55, R/o Gram Panchayat, Arniyali, Tehsil Dhorimanna, District Barmer.

----Appellant

Versus

1. State Of Rajasthan, Through Secretary Revenue Department, Jaipur.
2. District Collector, Barmer.
3. Sub-Divisional Magistrate, Division Dhorimanna District Barmer.
4. Tehsildar, Dhorimanna, District Barmer.

----Respondents

D.B. Spl. Appl. Writ No. 1833/2025

Revata Ram S/o Shri Javara Ram, Aged About 26 Years, Resident Of Vishwakarma Nagar, Goliya Jetmal, Tehsil- Nokhada, District- Barmer, (Rajasthan).

----Appellant

Versus

1. State Of Rajasthan, Through Secretary To The Government, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Jaipur.
2. The District Collector, Barmer.
3. Sub - Divisional Officer, Gudamalani, District Barmer.
4. Tehsildar, Nokhada, District Barmer.

----Respondents

D.B. Spl. Appl. Writ No. 47/2026

Gram Panchayat Sanau, Panchayat Samiti Chohatan, District Barmer Through Its Sarpanch, Smt. Kishan Kanwar W/o Shri Inder Singh, Aged About 80 Years, R/o Village Sanau, Tehsil Chohatan, District Barmer.

----Appellant

Versus

1. State Of Rajasthan, Through Secretary, Rural Development And Panchayati Raj Department, Government Of Rajasthan, Jaipur.

2. District Collector, Barmer.
3. Sub-Divisional Officer, Chohatan, District Barmer.
4. Tehsildar (Land Record), Chohatan, District Barmer.
5. Vikas Adhikari, Gram Panchayat Sanau, Panchayat Samiti Chohatan, District Barmer.

----Respondents

D.B. Spl. Appl. Writ No. 49/2026

1. Bhanwara Ram S/o Shri Pabu Ram, Aged About 57 Years, Resident Of Village Biramnagar Bhatlai Purohitan, Tehsil Balesar District Jodhpur.
2. Kuna Ram S/o Shri Birma Ram, Aged About 85 Years, Resident Of Village Biramnagar Bhatelai Purohitan, Tehsil Balesar District Jodhpur.
3. Heera Ram S/o Shri Khamma Ram, Aged About 68 Years, Resident Of Biramnagar Bhatelai Purohitan, Tehsil Balesar District Jodhpur.
4. Bhag Chand S/o Shri Manna Ram, Aged About 75 Years, Resident O Village Biramnagar Bhatelai Purohitan, Teshil Balesar District Jodhpur.
5. Shyam Lal S/o Shri Jodha Ram, Aged About 50 Years, Resident Of Village Biramnagar Bhatelai Purohitan, Tehsil Balesar District Jodhpur.
6. Dinesh S/o Shri Sukh Ram, Aged About 37 Years, Resident Of Village Biramnagar Bhatelai Purohitan, Bhatelai Tehsil Balesar District Jodhpur.
7. Prakash S/o Shri Bhanwara Ram, Aged About 27 Years, Resident Of Village Biramnagar Bhatelai Purohitan, Tehsil Balesar District Jodhpur.

----Appellants

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue (Gr- II), Government Of Rajasthan, Secretariat, Jaipur.
2. Dy. Secretary Department Of Revenue (Gr. I), Government Of Rajasthan, Secretariat, Jaipur.
3. Secretary Department, Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat,

Jaipur.

4. Board Of Revenue, Rajasthan, Ajmer Through Registrar.
5. The District Collector, Jodhpur.
6. Tehsildar (Revenue), Balesar District Jodhpur.
7. Sub Divisional Officer, Balesar District Jodhpur.
8. Gram Panchayat, Bhatelai Purohitan, Panchayat Samiti Balesar, District Jodhpur Through Village Development Officer.
9. Berisal Singh Rajpurohit S/o Shri Mangal Singh Rajpurohit, Administrator, Gram Panchayat, Bhatelai Purohitaan, Panchayat Samiti Balesar, District Jodhpur.

-----Respondents

For Appellant(s)	:	Mr. Pankaj Gupta Mr. Priyanshu Gopa Mr. Abhimanyu Singh Rathore Ms. Aishwarya Ranawat Mr. Vivek Firoda Mr. Moti Singh Rajpurohit Mr. D.L.R. Vyas Mr. Manoj Bohra Mr. S.S. Gour Mr. Ram Dayal Choudhary
For Respondent(s)	:	Mr. N.S. Rajpurohit, AAG Mr. Ramniwas Haniya

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Judgment

25/02/2026

Heard learned counsel for the parties.

2. The present batch of appeals arises out of a common judgment passed by the learned Single Bench on 25.09.2025 whereby writ petitions led by SBCWP No.11767/2025 were dismissed in the light of judgment rendered in the case of *Mala*

Ram & Anr. vs. State of Rajasthan & Ors.; S.B. Civil Writ Petition No.14930/2025 decided on 23.09.2025.

3. Since the question involved in the present matters is similar therefore, these present appeals are being disposed of by this common judgment.

4. Learned counsel for the appellants submit that the controversy involved in the present case has now been set at rest by Hon'ble the Supreme Court in the case of Bhika Ram & Anr. vs. State of Rajasthan & Ors. reported in 2025 INSC 1482 wherein the Hon'ble Supreme Court has decided the controversy in the following terms:-

"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 Sagat Singh. 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.

18. In view of the foregoing discussion, the impugned judgment dated 05.08.2025, passed in D.B. Special Appeal Writ No.1055/2025 is quashed and set aside. The order dated 11.07.2025 passed by the learned Single Judge in S.B. Civil Writ Petition no. 12422/2025 is restored.

19. In the result, the appeal is allowed. There shall be no order as to costs."

5. Learned counsel for the appellants thus submit that in view of the judgment of the Hon'ble Supreme Court rendered in Bhika Ram (supra) the impugned order passed by the learned Single Judge is not sustainable and, therefore, the writ petitions are liable to be decided in the light of the judgment of Bhika Ram (supra). Learned counsel however, limited their prayer only to the

extent of re-naming the villages in the light of the judgment of the Hon'ble Supreme Court and the circular dated 20.8.2009 and subsequent circulars.

6. Learned Additional Advocate General is not in a position to controvert the submissions made by learned counsel for the appellants that the controversy involved in the present matter has been decided by the Hon'ble Supreme Court. However, he submits that creation of the revenue villages and other process undertaken by the State Government may not be disturbed and the State Government will re-consider the renaming of the villages involved in the present appeals in the light of the judgment rendered by the Hon'ble Supreme Court in the case of Bhika Ram and circular dated 20.08.2009 and the circulars issued thereafter.

7. In view of the submissions so made before this Court, following impugned notifications/proposals in the writ petitions creating the revenue villages are quashed and set aside to the limited extent of renaming the revenue villages contrary to the judgment of the Hon'ble Supreme Court in the case of Bhika Ram (supra) and circular dated 20.8.2009 :

S.No	Appeal No	Writ Petition No.	Impugned Notification/propo sal dated	Name of villages
1.	1394/2025	12183/2025	22.3.2025	Shri Tikamgarh
2.	1410/2025	14987/2025	20.6.2025	Hiranmagari and Raila
3.	1537/2025	9305/2025	26.3.2025	Pratapdanpura
4.	1604/2025	8197/2025	4.4.2025	Sujanpur
5.	1612/2025	7733/2025	26.3.2025	Kalyan Singh Nagar and Shri Balaji Nagar
6.	1720/2025	14930/2025	25.7.2025	Harkanaada and Dero Ki Dhani

7.	1721/2025	10461/2025	31.12.2024	Kojusingh Nagar Gada
8.	1778/2025	4544/2025	3.1.2025	Khothawas and Aalam Nagar Khurd
9.	1833/2025	12367/2025	22.3.2025	Bhadresha Nagar
10.	47/2026	7287/2025	27.3.2025	Sen Samel Son Nagar
11.	49/2026	14965/2025	5.6.2025	Bhatelai Purohitan Kallan and Bhatelai Purohitan Shasan

8. Accordingly, the present appeals are disposed of in a manner that the above impugned notifications/proposals in the writ petitions in which the names of above revenue villages have been mentioned by the State Government contrary to the law laid down by the Hon’ble Supreme Court in the case of Bhika Ram (supra) and contrary to the spirit of circular dated 20.08.2009, the State Government shall reconsider the renaming of above revenue villages in the light of the judgment of the Hon’ble Supreme Court in the case of Bhika Ram (supra) and the circular dated 20.08.2009 and subsequent circulars. It is made clear that the action taken by the State Government for creation of new revenue villages and their development shall not be disturbed.

(CHANDRA SHEKHAR SHARMA),J (VINIT KUMAR MATHUR),J

C.P. Goyal & T.Singh/-