

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 1803/2025

Suo Motu

-----Petitioner

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Rinesh Kumar Gupta with Mr. Gaurav Sharma
For Respondent(s)	:	Mr. Kapil Prakash Mathur, AAG Ms. Shikha Sharma, AAAG Mr. Brijesh Kumar Bhardwaj Mr. Amit Kuri Mr. Dharma Ram Mr. Gauri Shankar Sharma, CCE

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

03/11/2025

1. The Commissioner, Jaipur Municipal Corporation Greater and Heritage both, shall place before us list of encroachments where notice under Section 169 of the Rajasthan Municipalities Act, 2009 have been issued and whether those encroachments have been removed. If not removed, the reasons for not removing be provided.
2. Further, the Authorities shall also inform this Court of the action taken against concerned officers/officials accountable for the encroachments.
3. The affidavit filed by the Municipal Corporation is only with respect to the removing of *Thadis* and *Thelas*, which are unauthorizedly installed. However, illegally encroached municipal lands, where shops/kiosks have been established, are not being removed.

4. We direct further the Commissioner to form teams of enforcement wing for each zone or one enforcement wing for four zones, who will submit their report before this Court after removing the encroachments which may be of permanent nature or temporary nature.

5. It is made clear that the concerned officers whose names are shown in the list, who would be in-charge of the wings, would be personally accountable if it is found that there is any inaction on their part.

6. Learned counsel appearing for the Jaipur Development Authority (JDA) has placed before us an affidavit which reflects that several officers of the enforcement wings are under cloud. However, interestingly, while there has been proposal to initiate proceedings under Rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 against as many as 19 officers, not even a single case of actual chargesheet has been served upon them.

7. It is extremely saddening to note that officers who are brought on deputation from the Police Department have not performed their duties resulting in rampant encroachments all around Jaipur. Those officers who failed to perform their duties, should be reverted back to the Police Department giving out reasons and their DGP is expected to take appropriate departmental actions and also see that they are not posted on responsible positions.

8. Mr. Kapil Prakash Mathur, learned Additional Advocate General, shall apprise this Court of the action taken by the Police Department in this regard. He may also inform the concerned



Additional Advocate General who appears for the Home Department to assist this Court on the next date of hearing.

9. The Commissioner, JDA shall remain present on the next date with the details regarding inquiries which were proposed and also reasons for not initiating chargesheets.

10. List this case again on 08.12.2025.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACTING CJ

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