

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writs No. 2996/2019

1. Gitesh Khanna S/o Late Shri Kishan Kishore Khanna (K.k.khanna), Aged About 35 Years, And Grandson Of Late Shri Chaman Lal Khanna R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur
2. Lalita Devi Khanna W/o Late Shri Kishan Kishore Khanna (K.k. Khanna), And Daughter-In -Law Of Late Shri Chaman Lal Khanna R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur
3. Neerja Khanna D/o Late Shri Kishan Kishore Khanna (K.k. Khanna), And Grand Daughter Of Late Shri Chaman Lal Khanna R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur
4. Anila Khanna D/o Late Shri Kishan Kishore Khanna (K.k. Khanna), And Grand Daughter Of Late Shri Chaman Lal Khanna R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur
5. Hema Khanna D/o Late Shri Kishan Kishore Khanna (K.k. Khanna), And Grand Daughter Of Late Shri Chaman Lal Khanna R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur. All Legal Heirs Of Late Shri Kishen Kishore Khanna S/o Late Shri Chaman Lal Khanna (Refugee/head Of Family/karta/displaced Refugee From West Pakistan After March 1947 And Allottee Of Plot No.b-34, Adarsh Nagar Colony, Jaipur)

-----Petitioners

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Urban Development Department, Government Of Rajasthan, Secretariat, Jaipur,.
2. The Collector, Jaipur, Collectorate Banipark, Jaipur
3. The Executive Engineer, Building And Roads, Public Works Department, Jacob Road, Jaipur
4. The Municipal Corporation, Through Commissioner, Lal Kothi, Tonk Road, Jaipur.
5. The Deputy Commissioner, Moti Doongri Zone, Municipal Corporation Jaipur, Sector-4, Jawahar Nagar, Jaipur.
6. Jugal Kishore Khanna S/o Late Shri Chaman Lal Khanna, R/o H.no. 47/131, Kiran Path, Mansarovar, Jaipur

7. Ramesh Khanna S/o Late Shri Chaman Lal Khanna, R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur
8. Krishna Prakash D/o Late Shri Chaman Lal Khanna, R/o H.no. 836, Frontier Colony, Adarsh Nagar, Jaipur
9. Shashi Soni D/o Late Shri Chaman Lal Khanna, R/o H.no. C-21, Vikas Marg, Sethi Colony, Jaipur

-----Respondents

For Petitioner(s) : Ms. Neerja Khanna present in person

HON'BLE MR. JUSTICE ASHOK KUMAR GAUR

Order

14/02/2019

This Court vide order dt. 7th February, 2019, had issued notices of the writ petition as well as stay application to the respondents. Office report shows that respondent Nos. 1 to 5 have been served and notices of respondent Nos. 6 to 9 are awaited.

Petitioner in person-Ms. Neerja Khanna submitted that respondent Nos. 6 to 9 are also having the common interest as petitioners have in respect of Plot No. B-34 FatehTiba, Adarsh Nagar, Jaipur. Petitioner submitted that the plot in question i.e. B-34 FatehTiba, Adarsh Nagar, Jaipur was allotted to one Mr. Chaman Lal, who was grandfather of the petitioners. She submitted that respondent Nos. 6 to 9 have wrongly been arrayed as respondents and in fact they need to be transposed, as petitioners.

Ms. Neerja Khanna has filed an application No. 12505 dt. 11th February, 2019, wherein photocopies have been placed on record to show that construction is going on unabated in plot No. B-34 FatehTiba, Adarsh Nagar, Jaipur and encroached upon by land

mafias and as such prayer is made to give suitable directions to stop the construction.

This Court as an interim measure, deems it proper to direct the respondents to stop the construction activity in plot No. B-34 FatehTiba, Adarsh Nagar, Jaipur. It is also made clear that in case any police assistance is required for carrying out this order, the respondents will seek necessary police assistance to ensure that no construction activities should be carried out in plot No. B-34 FatehTiba, Adarsh Nagar, Jaipur.

List the matter on 25th February, 2019.

(ASHOK KUMAR GAUR),J

Monika/66



सत्यमेव जयते