

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

(1) S. B. Civil Writ Petition No. 2842/2026
CNR: RJHC020124642026 | URN: CW / 6203U / 2026

Nawaab Khan S/o Shri Ishaak Khan, Aged About 52 Years, Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Karauli Collectorate Circle, Bhoodara Bazaar, District Karauli, Rajasthan.
2. Additional District Collector, Karauli, Collectorate Circle, Bhoodara Bazaar, District Karauli , Rajasthan.
3. Block Development Officer, Panchayat Samiti Sapotra, District Karauli (Rajasthan) - 322218.
4. Gram Panchayat Hadoti, Through Its Sarpanch, Tehsil Sapotra, District Karauli. Rajasthan.
5. Village Devlopment Officer, Gram Panchayat Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.
6. Aam Janta Gram Hadoti Through Representatives-,
 - i. Ramprasad Son Of Shukram
 - ii. Sitaram Son Of Chiranji
 - iii. Ramniwas Son Of Kanhaiya
 - iv. Mukesh, Son Of Maddulal Meena
 - v. Dileep, Son Of Chiranji MahawarAll Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Respondents

Connected With

(2) S.B. Civil Writ Petition No. 2843/2026
CNR: RJHC020131152026 | URN: CW / 6204U / 2026

Shareef S/o Shri Sattar Khan, Aged About 50 Years, Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Karauli Collectorate Circle, Bhoodara Bazaar, District Karauli, Rajasthan.
2. Additional District Collector, Karauli, Collectorate Circle, Bhoodara Bazaar, District Karauli , Rajasthan.

3. Block Development Officer, Panchayat Samiti Sapotra, District Karauli (Rajasthan) - 322218.
4. Gram Panchayat Hadoti, Through Its Sarpanch, Tehsil Sapotra, District Karauli. Rajasthan.
5. Village Development Officer, Gram Panchayat Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.
6. Aam Janta Gram Hadoti Through Representatives-,
 - i. Ramprasad Son Of Shukram
 - ii. Sitaram Son Of Chiranji
 - iii. Ramniwas Son Of Kanhaiya
 - iv. Mukesh, Son Of Maddulal Meena
 - v. Dileep, Son Of Chiranji MahawarAll Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Respondents

(3) S.B. Civil Writ Petition No. 2844/2026
CNR: RJHC020130972026 | URN: CW / 6206U / 2026

Lateef S/o Shri Imamuddin Khan, Aged About 59 Years, Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Karauli Collectorate Circle, Bhoodara Bazaar, District Karauli, Rajasthan.
2. Additional District Collector, Karauli, Collectorate Circle, Bhoodara Bazaar, District Karauli , Rajasthan.
3. Block Development Officer, Panchayat Samiti Sapotra, District Karauli (Rajasthan) - 322218.
4. Gram Panchayat Hadoti, Through Its Sarpanch, Tehsil Sapotra, District Karauli. Rajasthan.
5. Village Development Officer, Gram Panchayat Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.
6. Aam Janta Gram Hadoti Through Representatives-,
 - i. Ramprasad Son Of Shukram
 - ii. Sitaram Son Of Chiranji
 - iii. Ramniwas Son Of Kanhaiya
 - iv. Mukesh, Son Of Maddulal Meena
 - v. Dileep, Son Of Chiranji Mahawar

All Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Respondents

(4) S.B. Civil Writ Petition No. 2845/2026
CNR: RJHC020131052026 | URN: CW / 6208U / 2026

Sajid S/o Shri Fakruddin Khan, Aged About 50 Years, Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Karauli Collectorate Circle, Bhoodara Bazaar, District Karauli, Rajasthan.
2. Additional District Collector, Karauli, Collectorate Circle, Bhoodara Bazaar, District Karauli , Rajasthan.
3. Block Development Officer, Panchayat Samiti Sapotra, District Karauli (Rajasthan) - 322218.
4. Gram Panchayat Hadoti, Through Its Sarpanch, Tehsil Sapotra, District Karauli. Rajasthan.
5. Village Devlopment Officer, Gram Panchayat Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.
6. Aam Janta Gram Hadoti Through Representatives-,
 - i. Ramprasad Son Of Shukram
 - ii. Sitaram Son Of Chiranji
 - iii. Ramniwas Son Of Kanhaiya
 - iv. Mukesh, Son Of Maddulal Meena
 - v. Dileep, Son Of Chiranji MahawarAll Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Respondents

(5) S.B. Civil Writ Petition No. 2846/2026
CNR: RJHC020131112026 | URN: CW / 6211U / 2026

Aajad S/o Shri Noora Nai, Aged About 51 Years, Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through District Collector, Karauli Collectorate Circle, Bhoodara Bazaar, District Karauli, Rajasthan.

- 2. Additional District Collector, Karauli, Collectorate Circle, Bhoodara Bazaar, District Karauli , Rajasthan.
- 3. Block Development Officer, Panchayat Samiti Sapotra, District Karauli (Rajasthan) - 322218.
- 4. Gram Panchayat Hadoti Through Its Sarpanch, Tehsil Sapotra, District Karauli. Rajasthan.
- 5. Village Devlopment Officer, Gram Panchayat Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.
- 6. Aam Janta Gram Hadoti Through Representatives-
 - i. Ramprasad Son Of Shukram
 - ii. Sitaram Son Of Chiranji
 - iii. Ramniwas Son Of Kanhaiya
 - iv. Mukesh, Son Of Maddulal Meena
 - v. Dileep, Son Of Chiranji MahawarAll Resident Of Village Hadoti, Tehsil Sapotra, District Karauli, Rajasthan.

-----Respondents

For Petitioners	:	Mr. Mohammad Wasim Khan Advocate with Mr. Sanjeev Kumar Advocate.
For Respondents	:	Mr. Kapil Prakash Mathur Additional Advocate General with Mr. Ashutosh Udawat Advocate. Mr. Manoj Choudhary Advocate and Mr. Yadvendra Patel Advocate on behalf of Mr. G.S. Gill Additional Advocate General. Mr. Hanuman Choudhary Advocate.

HON'BLE MR. JUSTICE ANAND SHARMA

Judgment

30/07/2026

1. The petitioners have filed the present writ petitions challenging separate orders dated 28.11.2025 passed by the Additional District Collector, Karauli (hereinafter to be referred as 'the Additional District Collector') in respective Revision Petitions No.20/2024,21/2024, 22/2024, 23/2024 and 24/2024, whereby Pattas (lease deeds) earlier issued by Gram Panchayat Hadoti in

favour of each of the petitioners for different plots comprised in Khasra No.576, Village Hadoti, have been cancelled. The consequential notices dated 26.01.2026 issued by the Gram Vikas Adhikari have also been assailed by the petitioners in the above writ petitions.

2. Since all the above writ petitions involve similar facts, grievance, cause of action and common questions, hence, with the consent of learned counsel for all the parties, these petitions were heard analogously and are being decided by this common judgment. For the sake of convenience and understanding the nature of dispute between the parties pleadings, material and facts contained in S.B. Civil Writ Petition no. 2842/2026 (Nawab Khan vs State of Rajasthan and others) are being referred hereunder, unless the context otherwise requires.

3. The case of the petitioner is that the land in question is recorded as Gair Mumkin Abadi land belonging to the Gram Panchayat. On the basis of old possession over a plot of land, he submitted application before Gram Panchayat for allotment of Patta as per the rules. According to him, before issuance of the Patta, public notice was issued inviting objections and since no objection was received, thereafter the patta was issued and registered as per registration law.

4. It is the further contended that a Civil Suit No.30/21, titled Ramphool Vs. Gram Panchayat & Ors., had been instituted in relation to the land comprised in Khasra No.576, wherein a claim was raised that the land belonged to Panchmukhi Hanuman Mandir and Biloni Mata Mandir. According to the petitioner, the State authorities, including the District Collector and the Sub-Divisional Officer, had taken a stand in the said suit that the land was *Abadi* land and was

under the ownership and control of the Gram Panchayat. The said suit was dismissed by the Civil Judge, Sapotra vide judgment and decree dated 01.11.2025. The petitioner relies upon the findings recorded therein that the land was recorded as *Abadi* land and that the plaintiff had failed to establish that the particular portion on which pattas had been issued constituted temple property or that the petitioner's patta encroached upon the temple structure.

5. It is thereafter pleaded that private respondents, claiming to represent the residents of Village Hadoti, instituted revision petitions before the Additional District Collector challenging the patta after about three years of its issuance. The petitioner appeared before the revisional authority and filed his reply, contending therein that the patta had been lawfully issued on *Abadi* (Residential) land. It was also objected that the private respondents had no locus standi and that the civil litigation concerning the land had already been decided. It is alleged that these objections were not properly considered by the revisional authority.

6. The petitioner further asserted that the Additional District Collector vide impugned order dated 28.11.2025, erroneously recorded that the land constituted a public religious place belonging to Panchmukhi Hanuman Mandir and Biloni Mata Mandir and also recorded that the requisite public notice was not found in the record and the Patta had been issued pursuant to a conspiracy.

7. The respondents have opposed the writ petition and have specifically disputed the legality and validity of patta issued in favour of the petitioner. It has been categorically submitted the patta was allegedly issued under Rule 157(2) of the Rajasthan Panchayati Raj Rules, 1996 (hereinafter to be referred as 'the Rules of 1996'), whereas the petitioner was not eligible for allotment under the said

provision. Rule 157(2) of the Rules of 1996, as applicable at the relevant time, contemplated regularisation in favour of families which did not have any house or residential plot anywhere and were in possession of *Abadi* land by way of construction of a hutment or kuchcha house for a period prescribed under the rules. That apart, the patta was also required to be issued in the name of the woman head of the family.

8. According to the respondents, the petitioner already possessed a *pucca* constructed house at a different place in the village, as reflected from the Nazri Naksha dated 14.03.2026 and the electricity bill placed on record. Hence, the petitioner did not satisfy the basic eligibility conditions of Rule 157(2) of the Rules of 1996. The respondents further pointed out that the petitioner had earlier been issued patta on 15.08.2012 in respect of the same land, which was subsequently cancelled by the Development Officer, Panchayat Samiti, Sapotra vide order dated 09.12.2019 on the ground that the same had not been issued in accordance with the prescribed procedure.

9. The respondents have also questioned the procedure adopted by the Gram Panchayat while issuing the impugned patta. It is their case that the mandatory procedure contemplated under Rule 148(2) of the Rules of 1996 was not followed. The notice relied upon by the petitioner does not bear the signatures of two respectable independent persons of the locality, and the subsequent document produced as proof of signatures is alleged to be merely a blank paper containing signatures. The respondents have also disputed the genuineness of the said document. It is further pleaded that the quorum of the Gram Sabha was not complete.

10. The respondents have disputed the petitioner's assertion that the land covered by the patta was in his possession. According to them, the land covered by patta is lying vacant and is situated towards the northern side of the temple premises. The petitioner is stated to be in possession of a separate *pucca* house in the same Khasra No.576. The respondents further rely upon the existence of the approximately 200-year-old Biloni Mata and Panchmukhi Hanuman temples in the vicinity and contend that the petitioner had incorrectly asserted before the revisional authority that no temple existed in Khasra No.576.

11. The respondents have also relied upon the fact that disciplinary proceedings have been initiated against the then Gram Vikas Adhikari by issuance of a show-cause notice dated 13.03.2026 concerning the issuance of the patta. On these facts, it is contended that the petitioner has not approached this Court with clean hands and has suppressed material facts.

12. As regards the civil suit, the respondents admit that Civil Suit No.30/21 was dismissed on 01.11.2025, but contend that the said suit was essentially a suit for injunction and the legality of patta was not adjudicated upon in a manner which could prevent exercise of the statutory revisional jurisdiction under Section 97 of the Rajasthan Panchayati Raj Act, 1994 (hereinafter to be referred as 'the Act of 1994'). It is further submitted that the existence of the temples was considered by the Civil Court and that the dismissal of the suit did not validate an otherwise illegal patta.

13. Learned counsel for the petitioner reiterated that the Additional District Collector could not have exercised revisional jurisdiction against a registered patta, particularly when the private respondents had an alternative remedy under Section 61 of the Act

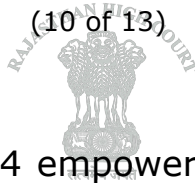
of 1994. It was also urged that the revision was filed after about three years and that the Civil Court had already rejected the claim of the temple over the disputed land.

14. Per contra, Learned counsel for the respondents, on the other hand, submitted that Section 97 of the Act of 1994 specifically confers revisional jurisdiction to examine the correctness, legality and propriety of an order or decision of a panchayati raj institution and that registration of a Patta does not cure an illegality in its issuance.

15. Having considered the submissions and the material on record, this Court finds that the principal issue is whether patta was issued in accordance with Rule 157(2) of the Rules of 1996. The said provision is not a general enabling provision for allotment of *Abadi* land. It applies to families which do not have any house, and are in possession of *Abadi* land by way of construction of a hutment/kuchcha house up to the prescribed cut-off date. The material placed by the respondents shows that the petitioner already possessed a *pucca* house, whereas the land covered by the disputed patta was vacant. The petitioner has not produced any convincing material demonstrating that he satisfied the essential conditions of Rule 157(2) of the Rules of 1996 on the relevant date.

16. It has also come on record that earlier patta was issued concerning the same land, which was cancelled on 09.12.2019 for non-compliance with the prescribed procedure, which is also a relevant circumstance. The subsequent issuance of patta could not confer legality upon an allotment if the statutory conditions continued to remain unsatisfied.

17. The contention of the petitioner that a registered patta could not be cancelled by the revisional authority is also untenable.



Section 97 of the Act of 1994 empowers the competent authority to examine the correctness, legality or propriety of the proceedings or decision of a panchayati raj institution. The fact that the patta has been registered does not place it beyond statutory scrutiny. Registration cannot validate an allotment which is otherwise contrary to the governing Rules.

18. In **Ghewar Chand & Anr. vs. State of Rajasthan & Ors., 2018 (3) RLW 2325**, Co-ordinate Bench of this Court was considering a similar matter where the petitioners therein challenged the proceedings initiated for cancellation of patta issued in their favour by the Gram Panchayat and later on registered by the competent authority under the Registration Act. Contention of the respondents was that the patta had been issued contrary to the applicable rules and the revision petition challenging it was maintainable under Section 97 of the Act of 1994. The Co-ordinate Bench of this Court held that the fact that the patta had subsequently been registered did not create an absolute protection against its cancellation. Registration is only a consequential act and cannot validate a patta that was illegally or fraudulently issued. The Court further observed that where the original allotment or issuance of the patta is vitiated by illegality, fraud, concealment of facts, or lack of authority, the competent authority may examine and cancel it despite its registration. Accordingly, the writ petition challenging the cancellation proceedings was dismissed.

19. The principle emerging from the above judgment is that a patta merely on its registration does not become immune from cancellation if its very issuance was illegal or tainted by fraud. This Court is in complete agreement with the ratio laid down in the matter of **Ghewar Chand & Anr. (supra)**.



20. The plea that the private respondents ought to have availed the remedy under Section 61 of the Act of 1994 also does not merit acceptance. The appellate and revisional jurisdictions are distinct statutory remedies. The existence of an appellate remedy against a decision of the Gram Panchayat does not, by itself, oust the revisional power expressly conferred under Section 97 of the Act of 1994.

21. The objection regarding delay is also not sufficient to invalidate the impugned order. Though revisional jurisdiction should ordinarily be exercised within a reasonable time even where no limitation is prescribed, the present challenge was raised within approximately three years and concerns an allotment which has been found, on the basis of the material available, to be contrary to the statutory requirements. Under these circumstances, delay cannot be permitted to perpetuate an illegality in the allotment of panchayat land.

22. The reliance placed by the petitioners upon the judgment dated 01.11.2025 passed by the Civil Court is equally misplaced. The civil suit was instituted concerning the larger Khasra No.576 and its dismissal cannot be construed as a declaration validating patta, unless the validity of the said patta itself had been directly and finally adjudicated upon. The revisional authority was examining a distinct question, namely, whether the Gram Panchayat had lawfully exercised its statutory power while issuing the patta. The impugned order, therefore, cannot be said to have disturbed the findings given by the Civil Court.

23. Similarly, the allegation of mala fides and communal prejudice has not been substantiated by any cogent material against the statutory authority which passed the impugned order. The



validity of the impugned order has to be examined on the basis of the statutory requirements and the material available before the authority, and not on the basis of unsubstantiated allegations regarding the alleged motive of the private respondents.

24. The material relating to non-compliance with Rule 148(2) of the Rules of 1996, including the absence of signatures of independent witnesses on the notice relied upon by the petitioner, also casts a serious doubt upon the assertion that the prescribed procedure was duly followed. Approval by the Gram Sabha, by itself, cannot cure non-compliance with mandatory statutory requirements or confer eligibility upon a person who does not satisfy Rule 157(2) of the Rules of 1996.

25. It is well settled that exercise of jurisdiction under Article 226 of the Constitution of India is not intended to convert this Court into an appellate forum for re-appreciation of factual findings recorded by a competent statutory authority. Interference is warranted where the order suffers from jurisdictional error, perversity, violation of natural justice or manifest illegality. No such infirmity is made out in the present case.

26. The petitioner's reliance upon Article 300-A of the Constitution of India is also of no assistance. The constitutional protection against deprivation of property except by authority of law does not protect an allotment which itself is found to have been made contrary to the statutory scheme.

27. In view of the foregoing discussion, this Court finds that the Additional District Collector had jurisdiction to examine the legality and propriety of pattas and there were sufficient circumstances warranting cancellation of the pattas. Impugned order dated 28.11.2025 does not suffer from any jurisdictional error or



perversity warranting interference under Articles 226 and 227 of the Constitution of India.

28. Consequently, all the above writ petitions are hereby dismissed.

29. Pending applications, if any, stand disposed of.

30. Office is directed to place a copy of this judgment on record of each connected petition.

(ANAND SHARMA),J

MANOJ NARWANI/36-40