

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3277/2026
CNR: RJHC020136102026 | URN: CW / 7175U / 2026

Ramotar Gurjar & Anr.

-----Petitioners

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s)

:

Mr. Bharat Bhushan Pareek with
Mr. Shankar Sharma,
Mr. Pawan Sharma and
Ms. Anita Soni
Mr. Raj Kumar Kasana

For Respondent(s)

:

Mr. Santosh Kumar Soni
Mr. V.D. Gathala, AGC with
Ms. Vijay Laxmi
Mr. Virendra Agarwal

HON'BLE MR. JUSTICE ANAND SHARMA

Order

11/08/2026

Heard on application (IA No.1/2026) for stay vacation filed by the respondents No.7 to 10.

Petitioners have challenged the proposed action of the respondents in changing the nature of land in question from *Gair Mumkin Pahad* to *Gair Mumkin Abadi*. Learned counsel submits that powers under Section 92 of the Rajasthan Land Revenue Act, 1956 for setting apart the land for specific purposes are being misused by the respondents by changing *Gair Mumkin Pahad* to *Gair Mumkin Abadi*, which is likely to adversely affect the environment and ecology as well as would also violate different circulars issued by the State Government.

Learned counsel for the respondents-applicants submitted that the writ petition is malicious in nature and that there has been long litigation between the petitioners and private respondents; hence, the interim order dated 16.03.2026 earlier passed by the Co-ordinate Bench of this Court may be vacated. It is also submitted that petitioners do not have any personal interest in respect of land in question, and the present petition cannot be treated as public interest litigation.

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

This Court finds that admittedly land in question has been shown as *Gair Mumkin Pahad* in the revenue records and learned counsel for the respondent-State has utterly failed to show any power to set apart such land shown as *Gair Mumkin Abadi*.

The petitioner being resident of village in question, has also got equal rights over all the natural resources including mountains, and even otherwise every citizen has got right to protect natural resources under Article 51-A of the Constitution of India.

In view of above, this Court does not find any ground to vacate the interim order dated 16.03.2026 and same is hereby confirmed.

Application filed by the respondents-applicants is hereby dismissed.

Let this matter be listed for final disposal at admission stage on 28.09.2026.

(ANAND SHARMA),J