


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3030/2026

Jagdish Prasad S/o Late Shri Malaram

----Petitioner

Versus

State Of Rajasthan & Ors.

----Respondents

For Petitioner(s) : Mr. Tanmay Dhand

For Respondent(s) : Mr. V.D. Gathala, AGC

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

17/02/2026

The present writ petition has been filed by the petitioner assailing the action of the respondents of opening a way from the private khatedari land of the petitioner being Khasra No.1833/861 admeasuring 1.16 hectares situated at Village Radhakishanpura, Tehsil and District Sikar.

Learned counsel for the petitioner, Mr. Tanmay Dhand, submits that the entire proceedings have been carried out by the respondents on the basis of an alleged complaint made by residents of the Village Radhakishanpura that a dotted way is shown in the map of Khasra No.1833/861.

Learned counsel submits that for the very same issue, the matter had earlier also travelled to this Court in ***S.B. Civil Writ Petition No.20388/2025*** and vide order dated 13.01.2026, the following directions were issued:-

"6. Learned counsel for the respondent submits that already the way has been opened and the encroachment has been removed. However, they also do not dispute the fact that

till date the way has not been recorded in revenue records after the inquiry, as required to be made by the Sub-Divisional Officer.

7. Considering the same, the present civil miscellaneous appeal is disposed of in terms that before entering the land of petitioners as a way, detailed inquiry ought to be conducted by the SDO, Sikar and if the inquiry goes against the petitioners, then the petitioners would be entitled to take recourse to legal proceedings."

Learned counsel submits that despite the said directions, the respondents are proceeding in absolute haste and an inquest report dated 04.12.2025 has been issued.

Taking note of the above, issue notices to the respondents.

Mr. V.D. Gathala, learned Assistant Government Counsel, puts in appearance on behalf of all the respondents. Hence, service is complete and notices need not be filed.

Learned counsel for the petitioner is directed to serve a copy of petition in the Office of Mr. V.D. Gathala, learned AGC.

Mr. V.D. Gathala, learned AGC, seeks four weeks' time to file reply.

List the matter on 24.03.2026 after showing the name of Mr. V.D. Gathala, learned AGC, in the cause list.

In the meanwhile and till the next date, status quo be maintained with respect to Khasra No.1833/861 *qua* the construction of proposed way on the said Khasra No.1833/861.

(ANUROOP SINGHI),J