

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3119/2026

M/s Arpita Buildmart Pvt. Ltd. & Ors.

-----Petitioners

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. G.P. Sharma with
Mr. Mahesh Chand Gupta

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

16/02/2026

This writ petition has been filed challenging the order dated 23.01.2026 passed by the respondent No.3 – Director and Special Secretary, Local Self Government Department (LSGD), Rajasthan, vide which it has withdrawn order No. P.2(क)/Inquiry/D.L.B./2024/5005 dated 20.06.2025 passed by the Commissioner, Municipal Council, Kishangarh, District Ajmer, in respect of land bearing khasra Nos.687/186, 691/688, 693/688, 694/688, 695/688, 696/688, 697/688, 698/688, 700/688, 692/688, 699/688, 685/186 and 686/186 situated at village gram Parasia, District Kishangarh.

Learned counsel for the petitioners submits that prior to the passing of the said impugned order no notice was issued by the respondents to the petitioners despite being cognizant of the fact that it is the petitioners who have exclusive title of the land by way of registered sale deed executed in their favour, after which even the mutation in terms of the said khasra numbers have been opened.

Learned counsel further submits that a bare perusal of the order dated 23.01.2026 reveals that no reasons worth the name has been assigned which formed the basis of passing such an order and in absence of which the said order cannot survive.

Learned counsel further submits that against the order passed under Section 90-A of the Rajasthan Revenue Act, 1956 (hereinafter referred to as "**the Act of 1956**"), remedy by way of an appeal is provided under Section 90(9) of the Act of 1956 and thus, there was no occasion to pass the impugned order, more so, in the manner that it has been passed.

Learned counsel further submits that the powers under Section 83 of the Act of 1956 also could not have been exercised for withdrawing an order which has been passed under Section 90-A of the Act of 1956.

Learned counsel further submits that while passing the said order, respondent No.3 has ignored the orders passed by various Courts of law and also the proceedings carried out at the Departmental level, wherein it has been found that the order under Section 90-A of the Act of 1956 has been rightly passed.

Taking note of the aforesaid submissions and facts, issue notice to the respondents, returnable within two weeks. Notice be sent through registered post in addition to normal process.

Additionally, learned counsel for the petitioners shall be at liberty to serve a copy of the writ petition in the Offices of Mr. Manoj Sharma, learned Additional Advocate General, who appears on behalf of the respondent No.1, Mr. G.S. Gill, learned AAG, who appears on behalf of the respondents No.2 to 5 and Mr. V.D.

Gathala, learned AGC, who appears on behalf of the respondents No.6 and 7.

Names of Mr. Manoj Sharma, learned AAG, Mr. G.S. Gill, learned AAG and Mr. V.D. Gathala, learned AGC, be shown in the cause list as learned counsel for their respective respondents.

List the matter on 10.03.2026.

In the meanwhile and till next date, the effect and operation of the order dated 23.01.2026 shall remain stayed.

(ANUROOP SINGHI),J