

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3152/2026

Pawan Kumar Sain S/o Bhagwan Sahay Nai

----Petitioner

Versus

State Of Rajasthan & Ors.

----Respondents

For Petitioner(s)	:	Mr. Rajesh Kumar Kuri
For Respondent(s)	:	Mr. Prateek Saksena and Mr. Ashutosh Udawat for Mr. Kapil Prakash Mathur, AAG Mr. V.D. Gathala, AGC

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

17/02/2026

Issue notices to the respondents.

Mr. Prateek Saksena, Advocate with Mr. Ashutosh Udawat, Advocate, appearing on behalf of Mr. Kapil Prakash Mathur, learned Additional Advocate General, accept notice on behalf of respondents No.1, 10 and 14.

Mr. V.D. Gathala, learned Assistant Government Counsel, accepts notices on behalf of respondents No.11 and 12.

Learned counsel for the petitioner is directed to serve a copy of petition in the Offices of Mr. Kapil Prakash Mathur, learned AAG and Mr. V.D. Gathala, learned AGC.

Notices be filed for other respondents, returnable within four weeks. Notices may also be sent through registered post in addition to normal process.

Notices also be given *dasti* to learned counsel for the petitioner.

Learned counsel for the respondents seek four weeks' time to file reply.

Learned counsel for the petitioner submits that despite having a residential *patta* issued in favour of the petitioner by Gram Panchayat Kotri Dhaylan, the respondents have demolished a part of the construction raised by the petitioner and are further bent upon to dispossess him.

Learned counsel has further placed reliance upon similar order passed in the case of **Bajrang Lal Vs. State of Rajasthan and Others** in **S.B. Civil Writ Petition No.1398/2026** dated 31.01.2026.

Taking note of the above, the respondents are directed to not to dispossess the petitioner from his residential house situated as mentioned in *patta* dated 21.08.2017 (Annexure 1).

It is clarified that the respondents are restrained to not to take any action only to the extent of *patta* of the petitioner and they are free to proceed ahead with respect to area beyond the *patta* of the petitioner. Also, learned counsel for the respondent would be at liberty to move an application seeking modification/vacation of the order, if so advised.

List the matter on 17.03.2026 after showing the names of Mr. Kapil Prakash Mathur, learned AAG and Mr. V.D. Gathala, learned AGC, in the cause list.

(ANUROOP SINGHI),J