

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 161/2026

In

S.B. Civil Writ Petition No.15131/2025

1. State Of Rajasthan, Through Principal Secretary, Urban Development Department, Government Of Rajasthan Secretariat, Bhagwandas Road, Jaipur.
2. The Land Acquisition Officer, Jaipur Development Authority Building, Ram Kishore Vyas Bhawan, Indira Circle, Jahawar Lal Nehru Marg, Jaipur.
3. The Jaipur Development Authority, Through Its Secretary, Ram Kishore Vyas Bhawan, Indira Circle, Jahawar Lal Nehru Marg, Jaipur..

----Appellants

Versus

1. Jagdish Prasad Son Of Late Shri Nanag Ram, Aged About 49 Years, Resident Of Behind Raghukul Iti College, Village Manoharpura, Tehsil Bassi, District Jaipur,
2. Laxmi Narayan Son Of Late Shri Nanag Ram, Aged About 51 Years, Resident Of Behind Raghukul Iti College, Village Manoharpura, Tehsil Bassi, District Jaipur,
3. Mukesh Kumar Son Of Late Shri Sitaram Grandson Of Late Shri Nanagram, Aged About 36 Years, Resident Of Village Budhsinghpura, Tehsil Sanganer, District Jaipur,
4. Rakesh Kumar Son Of Late Shri Sitaram Grandson Of Late Shri Nanagram, Aged About 35 Years, Resident Of Village Budhsinghpura, Tehsil Sanganer, District Jaipur. All The Petitioners Through Their Power Of Attorney Holder Jabarmal Chindaliya Son Of Shri Chandanmal, Aged 54 Years, Resident Of S-1, Mayur Tower, Nehru Bazaar, Jaipur..

----Respondents

For Appellant(s) : Mr. Rajendra Prasad, Advocate General assisted by Mr. Amit Kuri
Mr. Sheetanshu Sharma
Mr. Tanay Goyal
Mr. Ayush Sharma

Mr. Dharma Ram
For Respondent(s) : Mr. Banwari Lal Sharma
Mr. Namu Narayan Sharma
Mr. Abhinav Sharma

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

17/02/2026

This appeal has been filed by the appellant-State of Rajasthan against the interim order dated 11.02.2026 passed by the learned Single Judge.

Mr. Rajendra Prasad, learned Advocate General submits that the learned Single Judge while passing the interim order dated 11.02.2026 virtually allowed the writ petition and in Para Nos.7 & 8 observed as under:-

"7. Considering the overall facts of the case which emerge from the pleadings and also the documents made available on record and so also in the interest of justice to both the sides, this Court deems just and proper to direct the respondents and specially the respondent No.2- the Land Acquisition Officer, JDA, to submit the revised award, as per the opinion of the Finance Department and the Urban Development Department, treating the land acquired to be a residential land and DLC rate as Rs.6130/- per square meter for the acquired land of the petitioners, by 20.02.2026, as the learned counsel appearing for the Jaipur Development Authority has sought one week's time to do needful as above.

8. Since, time is being allowed on the request of the learned counsel for the Jaipur Development Authority, it is expected from the respondents to submit revised award as observed above before next date of hearing, failing which the Principal Secretary, UDH Department, Gov-

ernment of Rajasthan and respondent No.2-Land Acquisition Officer, shall remain present before this Court either in person or through Video Conferencing.”

Learned Advocate General further submits that the writ petition is still pending consideration before the learned Single Judge and if the final/revised award is passed as per the interim directions passed by the learned Single Judge nothing shall remain in the pending writ petition to decide and prayed for quashing of the order passed by the learned Single Judge dated 11.02.2026.

Mr. Abhinav Sharma, learned counsel for the respondent strongly opposed the submissions made by learned Advocate General. He further submits that the learned Single Judge has given directions in Para No.7 & 8 of the interim order dated 11.02.2026. He further relied upon various notings of the State Government where the DLC rate has been determined as Rs.6130/- per square meter. Counsel further submits that the Minister-In-Charge without considering the matter in totality and ignoring the DLC rate for deciding the compensation @ Rs.6130/- per square meter directed for approved award only for Rs.5,3,05,100/-.

Counsel further submits that the decision taken by the Minister-In-Charge with regard to fixing of rate for approval of the award is contrary to the judgments earlier passed by this Court with regard to the same land.

Heard counsel for the parties and perused the record.

This appeal filed on behalf of the State deserves to be allowed for the reasons; firstly, the learned Single Judge has directed for passing of revised award by way of any interim order and the same relief has been claimed by the respondent-petitioner in the writ petition, in our considered view, by way of interim

order, the writ petition cannot be allowed finally; secondly, the writ petition is still pending before the learned Single Judge and if the revised award is passed valuable rights would be created in favour of the khatedars, therefore, in our considered view, nothing would be there before the learned Single Judge for deciding in the writ petition.

In that view of the matter, this appeal is partly allowed. The order dated 11.02.2026 passed by the learned Single Judge is set aside except para Nos. 1 & 2 of the order by which the application for taking the additional documents on record was allowed. Liberty is granted to the State to file reply before the learned Single Judge. The observations made by this Court while deciding the present appeal will not come in way of the learned Single Judge in deciding the writ petition and shall also not affect the legal rights of the either party in the writ petition.

(RAVI CHIRANIA),J

(INDERJEET SINGH),J