

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3508/2026

Prem Devi & Ors.

-----Petitioners

Versus

Land Acquisition Officer (Competent Authority) And Up Jila
Collector And Magistrate-II and Ors.

-----Respondents

For Petitioner(s) : Mr. Jai Raj Tantia with
Mr. Hari Prasad Jangid and
Mr. Girraj Prasad

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

23/02/2026

The present writ petition has been filed challenging the order dated 05.02.2026 passed by Additional District and Sessions Judge, No.5, Jaipur Metropolitan-I in Reference No.88/2023 (18/22) CIS No.687/2023, **Land Acquisition Officer Vs. Chandalal and Ors.**, whereby respondents No.7 to 12 have been held entitled to the compensation to be paid by respondent No.1 for acquisition of land bearing khasra No.12 admeasuring 0.75 hectares and khasra No.15 admeasuring 0.75 hectares situated at revenue village Chatarpura, District Jaipur.

Mr. Jai Raj Tantia, learned counsel for the petitioners submits that the petitioners are members of the Scheduled Caste and are khatedar tenants of the said khasra numbers, which is not only corroborated by the jamabandi of the said khasras but also from the fact that the award dated 04.09.2019 (Annexure No.3) specifically records their names *qua* the said two khasra numbers. Not only that, even the determination of the amount of

compensation to the extent of Rs.2,95,14,006/- in the award specifically records the names of the petitioners.

Learned counsel further submits that as there was a dispute *qua* the entitlement to the said amount of compensation, the same was deposited in the reference Court.

Learned counsel further submits that the respondents No.7 to 12 filed an application seeking impleadment in the said reference petition on the sole premise that they have purchased plots carved out from the said two khasra numbers from one Badanpura (Fakiro ki Dungri) Grih Nirman Sahkari Samiti Ltd., to whom the said two khasra numbers were sold by Sitaram Developers, who had purchased the same from the petitioners.

Learned counsel further submits that Section 42(b) of the Rajasthan Tenancy Act, 1955 specifically bars any such transfer of agricultural land owned by a member of the Scheduled Caste and thus, respondents No.7 to 12 could not have been recognised as lawful owner of the said plots so as to hold them entitled to receive the compensation amount.

In support of the aforesaid submissions, learned counsel for the petitioners has placed reliance upon the judgment of the Hon'ble Supreme Court passed in ***Rajasthan Housing Board v. New Pink City Nirman Sahkari Samiti Ltd., (2015) 7 SCC 601.***

Taking note of the above, issue notice to the respondents No.1 and 7 to 12, returnable within six weeks. Notice be sent through registered post in addition to normal process.

Notice be given 'dasti' to the learned counsel for the petitioners.



List the matter on 16.04.2026.

In the meanwhile, the effect and operation of the order dated 05.02.2026 passed by Additional District and Sessions Judge, No.5, Jaipur Metropolitan-I in Reference No.88/2023 (18/22) CIS No.687/2023, **Land Acquisition Officer Vs. Chandalal and Ors.**, shall remain stayed.

(ANUROOP SINGHI),J

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