

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3436/2026

Chandra Shekhar S/o Shri Mohan Lal Sharma & Ors.

-----Petitioners

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Javed Khan

For Respondent(s) :

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

23/02/2026

Learned counsel for the petitioners has relied upon the order dated 11.02.2026 passed by the Co-ordinate Bench in **S.B. Civil Writ Petition No.2768/2026** titled as **Pawan Kumar Sharma & Ors. Vs. State of Rajasthan & Ors.**, which read as under:

"Learned counsel for the petitioners submits that the respondents have initiated proceedings for demolition of the shops of the petitioners alleging that the same are in dilapidated condition.

Learned counsel further submits that the report of the respondents-authorities is not proper and the same has been prepared without there being any inspection of the shops. He further submits that the petitioners have also submitted an affidavit by giving undertaking that in case of any mishappening and the damage caused because of falling of the shops, the petitioners would be accountable and responsible for all the damages.

Issue notice of the writ petition as well as stay application to the respondents, returnable within four weeks.

In the meanwhile and till further orders, the respondents are restrained from dismantling/

demolishing the shops which are in possession of the petitioners.”

Learned counsel for the petitioners submits that the facts of the present case are similar to those involved in **Pawan Kumar Sharma (supra)** and that the impugned notices issued by the Tehsildar are not only without jurisdiction but have also been issued without recording any finding *qua* the alleged dilapidated condition of the shops in question.

Taking note of the aforesaid submissions, issue notice of the writ petition as well as the stay application to the respondents, returnable within four weeks. Notice be also sent through registered post in addition to the normal process.

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

In the meanwhile and till the next date, the respondents are restrained from dismantling/demolishing the shops which are in possession of the petitioners.

List the matter along with S.B. Civil Writ Petition No.2768/2026.

(ANUROOP SINGHI),J