

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writs No. 11153/2011

Suo Motu

-----Petitioner

Versus

State Of Raj

-----Respondent

Connected With

D.B. Civil Contempt Petition No. 1364/2012

Ramesh Meena And Another

-----Petitioner

Versus

C K Mathew And Others

-----Respondent

D.B. Civil Writs No. 6512/2017

Lok Sampati Sanrakshan Samiti

-----Petitioner

Versus

State Of Raj And Ors

-----Respondent

D.B. Civil Writs No. 14139/2017

Khem Karan Singh Toli

-----Petitioner

Versus

State Of Raj And Ors

-----Respondent

For Petitioner(s)	:	Mr. Virendra Dangi, Sr. Adv. with Mr. Ashok Bhargava] Members of the Monitoring Committee Mr. Saransh Saini with Ms. Suman Choudhary Mr. P.N. Mandola present in person
For Respondent(s)	:	Mr. G.S. Gill, AAG with Mr. Chandan Ahuza Mr. Amit Kuri, Mr. H.V. Nandwana, Mr. M.C. Gupta, Mr. Bipin Gupta, Mr. Raj Kumar Goyal, Mr. Amit Kumar Soni, Mr. Akhil Simlote, Mr. Vaibhav Galria, JDC Mr. Anant Kumbhawat, JD (Law) JDA Dr. Praveen Kumar DC Zone-13, JDA, Jaipur

Mr. Birdi Chand Gangwal- earlier DC
Zone-13, JDA Jaipur
Mr. Raj Kumar Singh DC-12.

HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI
HON'BLE MR. JUSTICE BANWARI LAL SHARMA

Order

29/11/2018

Pursuant to the directions of this court, Officer alongwith Commissioner, JDA is present in the court.

Mr. Amit Kuri, learned counsel for JDA submits that out of the total catchment area of Ramgarh dam, 548.05 hectares lies under the jurisdiction of JDA. The encroachment out of it was found on 28.02 hectares. It was encroached for agriculture and for other purposes. The encroachment has been removed from the entire area other than land of Lohagarh Resort where litigation exists. It is also submitted that earlier a case was filed by NIMS University also but having lost the case by them, the encroachment made by them has been removed.

In view of the above, the Commissioner, JDA may file an affidavit that no encroachment exists in the catchment area of Ramgarh dam under the jurisdiction of JDA other than on disputed land of Lohagarh Resort.

The JDA is further directed to inform as to how many reservoirs exist in Jaipur City and periphery of JDA as per the revenue record of the year 1955. They would further inform as to whether any encroachment exist in the catchment area of those reservoirs and if it exist, why they have not been removed. In case a proper explanation to it is not given, consequence would follow. The JDA would further inform whether any part of

encroachment in the catchment area of any reservoir has been regularised and if it has been regularised in violation of Section 16 of Rajasthan Tenancy Act, to explain the aforesaid as well.

The JDA would further inform that after removing the encroachment by NIMS University, whether land has been brought in such a manner where water may flow as earlier. The JDA would further inform that what action has been taken against the encroachers on 28.02 hectares of land. Whether the prosecution has been lodged against them or not so as to stop the tendency of encroachment on the Government land. A detail report thereof would be submitted alongwith affidavit. It is also whether amount spent to remove encroachment has been removed from the encroachers. The JDA would further specify the area of encroachments of 28 hectares of land under the catchment area of Ramgarh dam.

List this case on 6.12.2018 for consideration of the case of JDA.

List this case otherwise on 4.12.2018 at 2.00 p.m. to consider the case in regard to compliance by the Revenue Department. Accordingly, the concerned officers alongwith record shall remain present to show compliance of the orders passed by this court.

(BANWARI LAL SHARMA),J

(M.N. BHANDARI),J

Brijesh