

**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. A.K. Bhargav
For Respondent(s)	:	Mr. Amit Kuri for JDA, Mr. Vaibhav Galaria, JDC and Dr. Praveen Kumar, DC, Zone-13, JDA

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

Order

06/12/2018

Learned counsel appearing for Jaipur Development Authority states that a survey for more than 141 hectare land has been made. An affidavit in respect of that has been filed. They want another ten days time to complete the survey of the catchment area of Ramgarh Dam and to make report. It is also stated that report in reference to NIMS University would also be made. They would remove the encroachments in the catchment area of Ramgarh Dam, as given in the report.

We have gone through the affidavit filed by the J.D.A. in reference to order dated 29.11.2018. The J.D.A. had stated that no encroachments exist in the catchment area of Ramgarh Dam other than by Lohagarh Resort. In the reply, we find they found encroachment in village Bhimpura on *Khasra* No. 543544558/741 thus position in the statement made earlier was not proper.

The affidavit in reference to NIMS University has not been given. It is despite the fact that encroachment made by them was removed pursuant to directions of the Apex Court. The cost of Rs. 20 lacs was imposed on NIMS University and, additionally, they were directed to pay expenses of demolition of encroachment. The J.D.A. charged Rs. 20 lacs additionally for demolition of encroachment. The charges for removing encroachment are taken only when it is directed by the Court, otherwise the J.D.A. is not taking action to penalise the encroachers other than in selected cases.

As prayed J.D.A. is given ten days time to come out with an affidavit for entire catchment area under J.D.A. and with specific details pertaining to Lohagarh Resort and NIMS University.

(BANWARI LAL SHARMA),J

S. Kumawat/52-55

