

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3623/2026

Shri Mahendra Singh S/o Lal Singh

-----Petitioner

Versus

Block Development Officer and Anr.

-----Respondents

For Petitioner(s) : Mr. Naman Pareek

For Respondent(s) :

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

24/02/2026

1. The present writ petition has been filed challenging the order dated 19.08.2025 passed by the Additional Collector and Additional District Magistrate, Beawar, District – Beawar, in Revision Petition No. 09/2025 titled as Block Development Officer versus Sh. Mahendra Singh and Anr., whereby the patta of the petitioner bearing No. 12/7 dated 04.03.2024 has been cancelled.
2. Learned counsel for the petitioner, at the very outset, submits that the said patta dated 04.03.2024 was duly registered in the Office of Sub-Registrar, Beawar, and therefore, the respondents were not having the competence to cancel the same and could not have passed the impugned order cancelling the patta.
3. Learned counsel for the petitioner has placed reliance upon the judgment of the Hon'ble Supreme Court in ***Basheera Khanum versus The City Municipal Council and Another*** bearing ***Civil Appeal No. 9317 of 2014***, decided on 31.07.2025, para 28 of which reads as under:

"28. We may record that generally and subject to exceptions as may be provided by statute, a valid registered document conveying immovable property cannot be annulled by any procedure other than a civil suit. In any event, cancellation of such a valid document of title by simply drawing a resolution in a board meeting is illegal on the face of the record. Such grossly illegal and high-handed action deserves to be deprecated."

4. In support of the said proposition of law, further reliance has been placed upon the judgment dated 28.01.2013 passed by the Hon'ble Division Bench of this Court at the Principal Seat at Jodhpur in ***D.B. Civil Special Appeal (W) No. 1958/2011*** titled as ***Manohar Lal versus District Collector Barmer & Ors.***

5. Learned counsel submits that in terms of Section 61 of the Rajasthan Panchayati Raj Act, 1994 (hereinafter referred as "**the Act of 1994**"), read with Rule 166 of the Rajasthan Panchayati Raj Rules, 1996, the revision filed by the respondents under Section 97 of the Act of 1994 itself was not maintainable and the only remedy available to the respondents was to file an appeal under Section 61 of the Act of 1994 within the time frame prescribed therein. It is a matter of record that the revision petition was filed after inordinate delay of more than one year.

6. Learned counsel also submits that one of the grounds raised by the respondents in the revision petition is that no patta could have been issued within the vicinity of a National Highway, however, as a matter of fact no such National Highway exists in the vicinity of the plot in question and the said National Highway

has, in fact, been constructed at a distance of about one kilometer from the petitioner's plot.

7. Taking note of the above, issue notice to the respondents, returnable within six weeks.

8. Notices be sent through registered post in addition to the normal process.

9. Notices be given *dasti* to the learned counsel for the petitioner.

10. Additionally, learned counsel for the petitioner shall be at liberty to file a copy of the present writ petition in the Office of Mr. Kapil Prakash Mathur, learned AAG, who appears on behalf of the respondents.

11. List the matter on 16.04.2026 after showing name of Mr. Kapil Prakash Mathur, learned AAG, in the cause list.

12. In the meanwhile and till the next the date, the effect and operation of the order dated 19.08.2025 shall remain stayed.

(ANUROOP SINGHI),J