

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Contempt Petition No. 237/2025

In

D.B. Civil Writ Petition (PIL) No.20400/2023

Man Singh Son Of Shri Mali Ram, Aged About 62 Years, Resident Of
54, Behind RSEB, Dev Colony, Ward No. 1, Pilani, Tehsil Surajgarh,
District Jhunjhunu, Rajasthan.

-----Petitioner

Versus

1. Shri Dinesh Kumar, The Secretary, Department Of Revenue,
Secretariat, State Of Rajasthan Jaipur.
2. Shri Chinmayee Gopal, The Collector And District Magistrate,
Jhunjhunu.
3. Shri Kamaldeep Poonia, The Tehsildar, Pilani, District
Jhunjhunu.
4. State Of Rajasthan, Through Secretary, Department Of
Revenue, Secretariat, State Of Rajasthan, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Shailendra Singh Balwada, Mr. Sohan Kumawat
For Respondent(s)	:	Mr. G.S. Gill, AAG with Ms. Shikha Sharma, Ms. Rashmi Kaushik Mr. Harish Yadav, Naib Tehsildar, Pilani, District Jhunjhunu

HON'BLE MR. JUSTICE SUDESH BANSAL
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

24/02/2026

1. The issue of disobedience/ non-compliance of the final order
dated 16.01.2024 passed in D.B. Civil Writ Petition No.20400/2023
has been raised in the instant contempt petition.
2. In the final order dated 16.01.2024, Tehsildar, Pilani was
directed to initiate proceedings under Section 91 of the Land
Revenue Act, 1956, and to ensure removal of encroachment, if any,
over the *Charagah* (Government Land) of Village Tokha Ka Bas,
District Jhunjhunu.

3. In response to the notices of contempt petition, the Naib Tehsildar is present in person and has filed reply to the contempt petition, stating *inter-alia* that after issuance of notice under Section 91 of the Land Revenue Act, encroachment over the land bearing Khasra No.194 (*Gair Mumkin Johar*), measuring 22.16 hectare, situated at Village Tokha Ka Bas, District Jhunjhunu, has been removed with the help of Police *Jabta* on 17.02.2026, and only due to non-availability of alternative land for rehabilitation, basic structure of kitchen, toilet and residential rooms etc. could not be removed. It has, *inter-alia*, been stated in the reply that remaining encroachment will be removed as per law, on providing alternative land for rehabilitation by the Gram Panchayat. Photographs of site, showing removal of the encroachment, have also been placed on record with the compliance report.

4. In light of the action taken and proceedings initiated by the Tehsildar, it cannot, by any stretch of imagination, be inferred that he was not serious or remained inactive regarding compliance of the order dated 16.01.2024. Substantial compliance has evidently been made, and in respect to the remaining aspects, explanation has been duly furnished as noted above. Therefore, it is not a clear cut case of deliberate or willful non-compliance of the order dated 16.01.2024.

5. Consequently, the proceedings of instant contempt petition are closed and the contempt petition is hereby dismissed. Notices of contempt stand discharged accordingly.

6. Pending application(s), if any, stand(s) disposed of.

(ANIL KUMAR UPMAN),J

(SUDESH BANSAL),J