

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5717/2025

1. Pooranmal Phoola Devi Memorial Trust, Having Its Registered Office At H.No.5449, Prem Bhawan, K.G.B. Ka Rasta, Johari Bazar, Jaipur (Rajasthan)-302003 Through Its Managing Trustee Dr. S.S. Agarwal.
2. Dr. S.S. Agarwal S/o Late Shri Kalyan Prasad Agarwal, Aged About 70 Years, Managing Trustee, Pooranmal Phoola Devi Memorial Trust Having Its Registered Office At H.No.5449, Prem Bhawan, K.G.B. Ka Rasta, Johari Bazar, Jaipur (Rajasthan)-302003.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur.
2. Jaipur Development Authority, Through Its Secretary, Ramkishore Vyas Bhawan, Indira Circle, Jawahar Lal Nehru Marg, Jaipur (Rajasthan)
3. Deputy Commissioner, Zone-9, Jaipur Development Authority, Ramkishore Vyas Bhawan, Indira Circle, Jawahar Lal Nehru Marg, Jaipur (Rajasthan)

----Respondents

For Petitioner(s) : Mr. Sandeep Pathak

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

21/04/2025

Learned counsel for the petitioners submits that to establish hospital as well as medical college, land was allotted by JDA to the petitioners on 22.03.2023. It is submitted that as per condition No.29 of the Allotment-cum-Demand Letter, demand amount was required to be deposited in four equal installments within a period

of one year. First installment of Rs.7,34,57,608/- (Seven Crore Thirty Four Lakh Fifty Seven Thousand Six Hundred Eight Rupees) was deposited by petitioner No.2 on 12.04.2023. Second installment was also deposited but with some delay on 16.07.2024. It is submitted that thereafter, building plan was submitted by petitioner. Learned counsel contends that vide letter dated 28.11.2024, petitioner No.2 was informed to submit the modified site plan. Thereafter, petitioner deposited the entire remaining amount in the month of February, 2025. It is contended that vide letter dated 07.03.2025, it was informed by respondent No.3 that a decision has been taken to refund the amount towards second, third and fourth installment excluding the first installment, deposited by petitioner No.2. It is contended that amount was refunded in the bank account of petitioner No.2 on 11.03.2025 while said order was dispatched to the petitioner on 13.03.2025 which is evident from the record. Thereafter, on 27.03.2025, this writ petition has been filed before this Court challenging order dated 07.03.2025. During pendency of the writ petition, on 07.04.2025, a letter has been issued by respondents directing the petitioners to place Revised Building Plans so that further steps may be taken for approval of the Building Plans. To the utter surprise of the petitioners, on the very next day, a letter dated 08.04.25 has been issued by the JDA directing that the allotment of the land made in favour of the petitioner Trust stands cancelled and original documents relating to allotment must be surrendered by the petitioner Trust in the office of JDA. Both these documents have been placed on record by way of additional affidavit.

Matter requires consideration.

Issue notice to the respondents through both the process, returnable on the next date of hearing.

Requisites be filed within a period of two weeks, failing which, this petition shall stand dismissed automatically without further reference to the Bench.

If requisites are filed within time, list this case after six weeks.

Meanwhile, respondents are directed to maintain status quo with regard to land in question.

(ANIL KUMAR UPMAN),J