

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6225/2026

Vishram Dutt S/o Late Shri Bala Baksh, Aged About 68 Years,
Resident Of Village Hal Bina, Tehsil Malakhhera, District Alwar.

-----Petitioner

Versus

1. Smt. Pushpa Devi W/o Shri Brijendra Kumar, D/o Late Shri Brahmanand, Resident Of 216, South West Block, Alwar.
2. State Of Rajasthan, Through Its Tehsildar (Landholder) Malakheda District Alwar

-----Respondents

For Petitioner(s)	:	Mr. Mohit Gupta
For Respondent(s)	:	Mr. V.D. Gathala, AGC with Ms. Praveshika Singh

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

07/04/2026

The present writ petition has been filed by the petitioner challenging the order dated 22.01.2026 (Annexure-6) passed by the learned Board of Revenue Rajasthan, Ajmer in Appeal/L.R./20/2017/Alwar, titled as Vishram Dutt Vs. Pushpa Devi & Ors., vide which the appeal filed by the petitioner has been dismissed and the order dated 15.11.2016 (Annexure-4) passed by the Divisional Commissioner, Jaipur, and the order dated 15.04.2015 (Annexure-2) passed by the Tehsildar, Tehsil Malakheda, Alwar, have been affirmed.

Mr. Mohit Gupta, learned counsel for the petitioner, at the very outset, submits that the order dated 22.01.2026 and so also the order dated 15.11.2016, place reliance upon the order dated 20.08.1993 passed by the learned District Judge, Alwar in Civil

Misc. Application No.316/ 1990 titled as Pushpa Devi Vs. Laxmi Devi, arising out of proceedings under Section 372 of the Indian Succession Act, 1925, and thus, the same could not have been made the sole basis for holding Pushpa Devi to be the sole successor of Late Mr. Prabhu Dayal.

Learned counsel further submits that the said order dated 20.08.1993 was never placed before the Tehsildar and was not considered while passing the order dated 15.04.2015 and thus, could not have been made the sole basis for passing the impugned orders.

Learned counsel further submits that Laxmi Devi had no right or authority to execute a will in favour of Pushpa Devi with respect to the property of Prabhu Dayal, who was the brother of the husband of Laxmi Devi.

Taking note of the above, issue notice to the respondents

Mr. V.D. Gathala, learned AGC, accepts notice on behalf of respondent No.2.

Learned counsel for the petitioner is directed to serve a copy of the writ petition in the Office of Mr. V.D. Gathala, learned AGC, within three days.

Hence, notice be filed for respondent No.1, returnable within six weeks. Notice also sent through registered post in addition to the normal process.

Notice also given '*dasti*' to learned counsel for the petitioner.

List the matter on 21.05.2026 after showing the name of Mr. V.D. Gathala, learned AGC, in the cause list.

Till the next date, the effect and operation of the order dated 22.01.2026 (Annexure-6) passed by learned Board of Revenue



Rajasthan, Ajmer, the order dated 15.11.2016 (Annexure-4) passed by the Divisional Commissioner, Jaipur, and so also the order dated 15.04.2015 (Annexure-2) passed by the Tehsildar, Tehsil Malakheda, Alwar, shall remain stayed.

(ANUROOP SINGHI),J

VINAY /16