

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 8978/2005

Gopal Sharma S/o Shri Govind Ram, Village-Chainpura Jawahar  
Circle Jaipur

-----Petitioner

Versus

The State Of Rajasthan and ors.

-----Respondents

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|-------------------|---|-------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Vimal Choudhary                                         |
| For Respondent(s) | : | Mr. Vigyan Shah, AAG<br>Mr. O.P. Mishra<br>Ms. Meeta Pareek |

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**HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**  
**HON'BLE MR. JUSTICE SANJEET PUROHIT**

**Order**

**10/09/2025**

1. This is an application (IA No. 1/2023) filed under Order 1 Rule 10 CPC by Ram Prasad S/o Moti and Kishore alias Ramkishore S/o Late Gopi stating therein that they are a necessary party to the present petition as they are the persons who are having the original title of the land and had sold the property to Jaipur Bhawan Nirman Sahakari Samiti Limited by a registered sale deed.
2. The present petition has been filed by the petitioner wherein he has prayed as under:

*"It is therefore prayed that Your Lordship may kindly be pleased to accept this writ petition and call for the entire record of the case and examine the same and by appropriate writ, order or direction the order dated 05.07.2005 and 10.10.2005 passed by respondent No.2 and 1 may kindly be quashed and set aside and the*

*registering officer may kindly be directed to register the sale deed treating the land in question as agriculture land or in alternate the matter may kindly be remanded to the registering officer to decide the matter afresh after giving an opportunity of hearing to the petitioner."*

3. There are no allegations or averments relating to the applicants in the writ petition. No *inter se* issue is, therefore, found to create in the present petition which needs to be decided while examining the prayer made by the petitioner. The applicants are, therefore, completely strangers to the proceedings which we need to examine in the present writ petition.

4. In view of the law as laid down by the Hon'ble Apex Court in the case of '**Udit Narain Singh Malpaharia Vs. Additional Member, Board of Revenue, Bihar**' reported in AIR 1963 SC 786, the applicants cannot be said to be either a necessary or a proper party in the writ petition.

5. The application (IA No. 1/2023) is accordingly dismissed.

6. List on 24.09.2025.

(SANJEET PUROHIT),J

(SANJEEV PRAKASH SHARMA),J