

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Contempt Petition No. 378/2025

Vijay Kumar Boyat S/o Shri Raju Boyat

-----Petitioner

Versus

Vaibhav Galriya, Principal Secretary

-----Respondent

For Petitioner(s)	:	Mr. Shiv Narain Bohra, Advocate.
For Respondent(s)	:	Mr. Amit Kuri, Advocate.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/05/2025

In compliance of the order dated 23.05.2025, counsel for the respondent-JDA has submitted the latest status report on 26.05.2025, according to which the remaining encroachments have been removed by them from the 160 feet wide road in dispute except thirty-two shops coming within the limits of the said road as the owners/occupants of these shops have approached JDA Appellate Tribunal and it has passed the order of status quo with regard to these matters vide order dated 16.04.2025 (Annexure-I) submitted along with the affidavit.

As per record, total 274 encroachments were found on the 160 feet wide road in dispute, out of which except these thirty-two shops, all other encroachments as stated by the JDA has already been removed.

Counsel for the petitioner submits that respondent-JDA has not removed all the encroachments. Counsel further submits that apart from the shops for which the JDA Appellate Tribunal has

passed the interim orders, some other encroachments are still existing on the road in dispute which cause hindrance in the free flow of the traffic on the said road. Counsel further submits that various public utility installations such as electric poles, transformers, street lights, telephone poles, hoardings, and colony gates remain situated in the middle of the road, causing hindrance to traffic. It is submitted that these installations ought to be relocated to the sides of the road to ensure unimpeded vehicular movement. Counsel further submits that as a result of removal of the encroachments from the road, certain trees have come within the road in dispute. These, too, pose an obstruction to the smooth flow of traffic and, therefore, require appropriate action in accordance with law for their removal.

In that view of the matter, considering the facts and circumstances of the present case and also considering the fact that the matter relates to encroachments over the public road, we direct the JDA Appellate Tribunal to expeditiously decide the pending appeals no.305, 306, 307, 309 and 310 of 2025 along with stay applications preferably on the next date of hearing.

We direct the respondent-JDA to shift electric pole/transformers/street-light poles/telephone poles/hoarding and gate of the colonies etc. from the middle of the road to the side of the road. We further direct respondent-JDA to remove the trees from the road in dispute in accordance with law so that traffic can be run smoothly. We further direct the respondent-JDA to remove any *kacha/pakka* construction/structure including debris which is still lying within the limits of the road in dispute. We further direct



respondent-JDA to submit the status report on the next date of hearing.

List on 14.07.2025.

(ANAND SHARMA),J

(INDERJEET SINGH),J

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