

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7987/2026

Bhupendra Kumar Sharma S/o Prahlad Kumar Sharma, R/o
I.O.C. Petrol Pump, Dhumon Kalan, Tehsil And District Sawai
Madhopur.

-----Petitioner

Versus

1. Sushila, W/o Moolchand
2. Moolchand S/o Shri Durgashankar Sharma,
Both R/o Village Village Jatwada Khurd, Mantown, Sawai
Madhopur.
3. Hemraj S/o Kalyan, R/o Village Dhamun Kalan, Tehsil And
District Sawai Madhopur.
4. Tehsildar, Tehsil Sawai Madhopur.
5. Executive Engineer, Public Works Department, Division
Second, Sawai Madhopur.
6. District Collector, Sawai Madhopur.
7. Indian Oil Corporation, Near Radha Swami Satsang
Bhawan, Ashok Chowk, Adarsh Nagar, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Ashindra Gautam
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

06/05/2026

1. The present writ petition has been preferred by the petitioner assailing the impugned order dated 27.03.2026 passed by the learned Permanent Lok Adalat, Sawai Madhopur, in Case No. 80/2025, titled as "*Sushila & Anr. Vs. Bhupendra Kumar Sharma & Ors.*", whereby the application filed by applicants/respondents No. 1 & 2 was allowed, and directions were issued to the petitioner

and the other non-applicants to take remedial measures in order to stop water logging.

2. Brief facts giving rise to the present writ petition are that the applicants/respondents No. 1 & 2 filed an application before the learned Permanent Lok Adalat, stating therein that petitioner No.1 & 3's land is to the south of applicant/respondent No.1 & 2's agricultural land, and that the petitioner has built a petrol pump over his land. It was alleged that there was an obstruction in the natural flow of rainwater due to alleged construction by the petitioner and other non-applicants; they accordingly prayed for directions to be issued in order to remove the obstruction causing the water logging.

3. The petitioner filed a separate reply to the said application and denied the allegations raised therein. The petitioner further raised an objection regarding the jurisdiction of the Permanent Lok Adalat as well as the maintainability of the application.

4. After hearing the arguments of the parties, the learned Permanent Lok Adalat allowed the application filed by the applicants/respondents No.1 & 2, and issued a direction to the respondents to ensure proper drainage by laying pipes of appropriate width/thickness or to maintain the road level in a manner that there is no water logging on either side of the road constructed by the petitioner.

5. Aggrieved by which, the present petitioner has preferred the present writ petition.

6. Learned counsel for the petitioner submits that the petitioner has already taken measures for prevention of water logging and to

ensure proper water drainage, yet the impugned order has been passed against the petitioner directing him either to ensure proper drainage by laying pipes of appropriate width/thickness or to maintain the road level in a manner that there is no water logging on either side of the road constructed by the petitioner. He further submits that the entire water logging has been caused due to the illegal construction raised by respondent No. 3; he therefore prays that the impugned order dated 27.03.2026, being perverse, may kindly be set aside.

7. Heard the submissions advanced by learned counsel for the petitioner and perused the impugned order dated 27.03.2026.

8. Before proceeding further, it would be apt to produce the direction issued by the learned Permanent Lok Adalat vide impugned order dated 27.03.2026, which reads as under:

“विपक्षीगण को आदेश दिया जाता है कि वह 15 दिन के अंदर ऊंचे किये गये लेवल के अंदर समुचित मोटाई का पाईप डालकर जल निकासी सुनिश्चित करें अथवा जो रोड निर्मित की गई है, इसका लेवल इस प्रकार से रखें कि अप्रार्थी संख्या 1 द्वारा बनाई गई रोड के दोनों तरफ जल भराव न हो।”

9. From a perusal of the impugned order it is revealed that the petitioner has been directed either to lay pipes of appropriate thickness to ensure proper drainage or alternatively to maintain the road level such that there is no water logging on either side of the road constructed by the petitioner.

10. There seems to be no illegality or arbitrariness in the aforesaid directions in any manner as the petitioner has merely been directed to take corrective steps in an effort to ensure that there is proper drainage and there are no water logging issues.

Therefore the arguments advanced by the learned counsel for the petitioner cannot be accepted.

11. In that view of the matter, this Court is of the considered opinion that the impugned order dated 27.03.2026 does not suffer from any jurisdictional error, illegality, perversity, or legal infirmity so as to warrant any interference by this Court under the powers conferred by Article 227 of the Constitution of India.

12. Accordingly, the present writ petition fails and is hereby dismissed.

13. All other pending application(s), if any, shall stand disposed of.

(MANEESH SHARMA),J