

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

S.B. Civil Writ Petition No. 7707/2026

1. Shrawan S/o Shri Jawana, Aged About 59 Years, Resident Of Village Kheirwadi, Post Daulatpura, Tehsil- Aamer, District - Jaipur (Raj).
2. Subhash S/o Shri Kanaram, Aged About 25 Years, Resident Of Village Kheirwadi, Post Daulatpura, Tehsil- Aamer, District - Jaipur (Raj).

----Petitioners

Versus

1. Jaipur Development Authority, Through Secretary, Jaipur Development Authority, Indira Circle, Jawahar Lal Nehru Marg, Jaipur .
2. The Enforcement Officer, Zone - 13, Jaipur Development Authority Zone-13, Indira Circle ,Jawahar Lal Nehru Marg, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Kamal Kant Sharma Ms. Nandini Verma
For Respondent(s)	:	Mr. Rishab Khandelwal

HON'BLE MR. JUSTICE SAMEER JAIN

Order

29/04/2026

1. The present writ petition has been filed invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, assailing the impugned order/communication dated 21.04.2026 issued by the respondent-JDA (Annexure-7).
2. Learned counsel for the petitioners submit that vide an earlier order dated 30.03.2026 passed by the Coordinate Bench of this Court, the respondent-authorities were categorically directed to consider the objections submitted by the petitioners therein on

27.02.2026. The Coordinate Bench had further directed that until the said objections are decided, no coercive action shall be taken against the petitioners.

3. It is submitted that the respondent-authorities, in flagrant violation of the principles of natural justice and the aforesaid order passed by the Coordinate Bench of this Court, have proceeded to reject the said objections of the petitioner vide the impugned communication order dated 21.04.2026 (Annexure-7). It is next submitted that the said rejection was executed in a highly cryptic and mechanical manner, completely bereft of any speaking reasons or due application of mind.

4. It is further submitted that the respondent-authority had issued notices to the petitioners alleging that unauthorized construction activities, involving the usage of sand, cement, mixture, etc., were being carried out on an agricultural plot, without obtaining the requisite statutory land-use conversion. Howsoever, the said fact has been refuted by the learned counsel for the petitioners.

5. Having heard the submissions advanced by the learned counsel and upon a perusal of the impugned communication dated 21.04.2026, this Court is of view that the said order is vague and cryptic in nature.

6. However, considering the serious nature of the allegations regarding unauthorized construction on agricultural land, this Court deems it appropriate to direct the Preventive Wing of the respondent-JDA to carry out an appropriate site inspection of the plot in question and prepare a detailed factual report *qua* the alleged construction activities on the plot.

7. It is made clear that if upon carrying out the said site inspection, it is found that unauthorized construction activities are ongoing or exist on the said agricultural plot, the respondent-authority shall be at full liberty to demolish the same. However, such demolition shall be executed strictly after serving a mandatory prior notice of three days to the petitioners.

8. Conversely, if the facts are otherwise and no such unauthorized activity is found on the said plot, the present */is* shall not survive, and the notices issued by the respondents shall stand dropped.

9. It is further made clear that the aforesaid exercise and the needful action shall be concluded within a period of 15 days from the date of passing this order and it is directed that till then, no coercive action shall be taken against the petitioners by the respondent-authority.

10. In view of the above terms, the instant writ petition stands disposed of. Pending application(s), if any, shall also stand disposed.

(SAMEER JAIN),J