

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7923/2026

Parvati Lekhraj Solanki W/o Lekhraj Solanki, Aged About 73 Years, R/o Pnb Bank Owner, Village Bachhamedi, Tehsil Bharatpur, District Bharatpur (Raj.).

----Petitioner

Versus

1. State of Rajasthan, Through Additional Chief Secretary, Government Secretariat, Main Building, Government Secretariat, Janpath, Jaipur, Rajasthan 302005.
2. Executive Engineer, Public Works Department, Project Division, Bharatpur.

----Respondents

For Petitioner(s)	:	Mr. Vichitr, Advocate through VC Mr. Manish Kumar, Advocate
For Respondent(s)	:	Mr. Dheeraj Tripathi, Advocate

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
Order

20/05/2026 :

Instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India praying *inter-alia* that the notice dt.03.12.2025 issued by the respondent No.2/PWD regarding demolition of the petitioner's house/constructed property be quashed & set aside, and the respondents be directed not to take any demolition action against the petitioner, except in accordance with due process of law.

The submissions of learned counsel appearing for the petitioner are that the lease/*patta* of the disputed property has been issued in the name of Smt. Parvati wife of Lekhraj Singh, whereas the notice dt.03.12.2025 was neither issued nor served upon Smt. Parvati and was instead served upon one Lekhraj Solanki. The impugned notice has been issued without affording any opportunity of hearing or issuing any prior show-cause notice. A registered *patta* measuring 32x53

square yards has been issued in favour of Smt. Parvati and the same has also been registered before the concerned Sub-Registrar. In such circumstances, the proceedings initiated by the respondents against Lekhraj Solanki are wholly illegal. Therefore, the impugned notice dt.03.12.2025 is liable to be quashed and set aside being unsustainable in the eye of law.

Learned counsel appearing for the respondents opposed the submissions made herein-above.

Heard learned counsel appearing for the parties & perused the material made available on record.

In the present case, the respondent No.2/PWD issued the demolition notice dt.03.12.2025 against Lekhraj Solanki without affording any opportunity of hearing and directed removal of the alleged unauthorized construction within a period of seven days. However, the disputed property stands registered in the name of the petitioner, namely Smt. Parvati and, therefore, any notice regarding demolition proceedings ought to have been issued to her.

Considering the overall facts & circumstances of the case as well as the submissions made at bar, the impugned notice dt.03.12.2025 is, hereby, quashed & set aside. However, the respondent-authorities may issue a fresh notice to the petitioner after affording due opportunity of hearing and proceed in accordance with law.

Accordingly, the present writ petition stands disposed of.

(VINOD KUMAR BHARWANI),J