

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



S.B. Civil Writ Petition No. 8079/2026

1. Hari Singh Bhamu S/o Ram Narayan Jat, Aged About 67 Years, R/o Pooranpura, Tehsil Dhodh, District Sikar.
2. Ram Chandra Bhamu S/o Paip Singh Bhamu, Aged About 35 Years, R/o Pooranpura, Tehsil Dhodh, District Sikar.
3. Khema Ram S/o Bheru Ram, Aged About 51 Years, R/o Village Bhairoopura Jagir-Singrawat, Tehsil Dhodh, District Sikar.
4. Kishna Ram S/o Chatu Ram, Aged About 66 Years, R/o Village Bhairoopura Jagir-Singrawat, Tehsil Dhodh, District Sikar.
5. Dula Ram S/o Chhtu Ram, Aged About 58 Years, R/o Village Bhairoopura Jagir-Singrawat, Tehsil Dhodh, District Sikar.

-----Petitioners

Versus

1. State of Rajasthan, Through Principal Secretary, Revenue Department (Group-Vi), Government Of Rajasthan, Secretariate Jaipur.
2. District Collector, Sikar.
3. Settlement Officer, Department Of Settlement, Sanwali Road Sikar, District Sikar.
4. Tehsildar Dhodh, Tehsil Complex Dhodh, District Sikar.
5. Nayab-Tehsildar Dhodh, District Sikar.
6. Patwari, Patwar Halka Puranpura, Tehsil Dhodh, District Sikar.
7. Moorti Mandir Shri Govind Dev Ji, Chiranji Panwadi Ki Gali, Subhash Chowk Ke Pass, Sikar, District Sikar Through Mahant Shri Shyam Sundar S/o Late Sh. Satyanarayan, Age About 48 Years.

-----Respondents

For Petitioner(s)	:	Mr. Sultan Singh Kuri, Advocate
For Respondent(s)	:	

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
Order

05/05/2026 :

Instant writ petition has been filed in order to challenge the impugned notice dt.17.03.2026 issued by the respondent No.5 i.e.

Nayab Tehsildar, Dhodh, District Sikar under Section 91 of the Rajasthan Land Revenue Act, 1956 (herein after to be referred as the Act) directing the petitioners to remove unauthorized possession from the land bearing Khasra Nos.84, 85 & 93 situated at Village Bhairupura Tehsil Dhodh District Sikar, otherwise eviction proceedings will be initiated against them.

Learned counsel appearing for the petitioners submits that the petitioners have been in possession & occupation of the land in question since the time of their forefathers, who held *Khatedari* rights over the disputed land. The petitioners, therefore, cannot be dispossessed from their Khatedari rights over the land in question, through summary proceedings under Section 91 of the Act, particularly when an application under Section 136 of the Act for correction of revenue records is pending before the ADC in appeal under Section 75 of the Act. In compliance with the notice dt. 17.03.2026, the petitioners duly appeared before the respondent No.6 on 27.03.2026 alongwith complete revenue records of the land supporting documentary eviction.

Heard. Perused.

Considered the submissions advanced at bar & perused the impugned notice issued on 17.03.2026 in which the land in question is stated to be a *pasture* land and the petitioners have unauthorized possession over the land. They have already been given an opportunity to submit a representation explaining as to why they should not be dispossessed from the land.

In view of above, this Court is of the opinion that the present writ petition cannot be entertained for the very reason that the alternative remedy against the aforesaid notice is available with the petitioners under the provisions of the Act of 1956.

It is a well settled principal of law that the writ jurisdiction under Article 226 should not be exercised unless the alternative remedy provided under the statutes has been exhausted, save in exceptional circumstances.

Accordingly, the present writ petition is dismissed on the ground of availability of an alternative & efficacious remedy. However, it is made clear that the petitioners are be at liberty to take recourse to the alternative lawful remedy available to him in accordance with the provisions of law.

Pending application, if any, also stands disposed of.

(VINOD KUMAR BHARWANI),J

ashok/