

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 8160/2026

Shankar Lal Megotia S/o Shri Amar Chand Megotia and Anr.

-----Petitioners

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Harsh Sharma

For Respondent(s) : Mr. Vigyan Shah, AAG

HON'BLE MR. JUSTICE SUDESH BANSAL
HON'BLE MR. JUSTICE RAVI CHIRANIA
Order

07/05/2026

1. Petitioners, by filing an instant joint writ petition, seek to question the validity of Clause 8(e) of the Rajasthan Apartment Owners Model Bye-Laws, 2020, which envisages right of single vote by each member of apartment, irrespective of the number of apartments each member possesses in the project.
2. The submission of counsel for petitioners is that this clause stands contradictory to the Rule 3, Annexure-A & B of the Rajasthan Apartment Ownership Rules, 2020, hence, a rationality is required to be maintained.
3. It has pointed out that the elections of the Management Committee for the apartments have already been conducted on 26.04.2026, following Clause 8(e) of the Bye-Laws and the outcome of election is also under challenge and petitioner prayed to quash the same as a consequential relief.
4. Heard.
5. Issue notice of writ petition as also of stay application to the respondents.

6. Mr. Vigyan Shah, AAG has put in appearance on behalf of respondent No.2- Department of Law & Legal Affairs and pointed out that the Rajasthan Apartment Ownership Rules, 2020 and the Rajasthan Apartment Owners Model Bye-Laws, 2020, have been framed by the Urban Development & Housing Department, who has not been made party in this petition.

7. Learned counsel for the petitioners undertake to implead the Urban Development & Housing Department as party respondent in place of respondent No.1 and to submit an amended cause title within a period of three days.

8. For the Department of Urban Development & Housing Department, a copy of writ petition may be served in the office of Mr. Manoj Sharma, AAG within a period of one week. His name be reflected in the cause list as counsel for respondent.

(RAVI CHIRANIA),J

(SUDESH BANSAL),J

Nitin/Aman/2