

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8259/2026
URN: CW / 18197U / 2026

Khemchand Yadav S/o Shri Bhoora Ram Yadav

-----Petitioner

Versus

National Highway Authority Of India

-----Respondent

For Petitioner(s)	:	Mr. Ashwani Kumar Chobisa, Adv. with Ms. Priyansha Gupta, Adv.
For Respondent(s)	:	Mr. Sandeep Pathak, Adv. Mr. Arnab Singh, Adv.

HON'BLE MR. JUSTICE ANAND SHARMA

Order

02/07/2026

It is stated that petitioners are recorded khatedar of land bearing Khasra No.572/537 and 567/413 village Khojawala, Tehsil Shahpura, District Jaipur, which has never been acquired by the Central Government for the purposes of NHAI either for construction of highway or even for Foot Over Bridge, yet the respondents are carrying out construction of Foot Over Bridge by including the aforesaid land situated at Khasra No.572/537 and 567/413. Learned counsel for the petitioners submits that since, the land has not been acquired, such construction of Foot Over Bridge including the aforesaid land of the petitioners is totally without jurisdiction and is also in violation of Article 300-A of the Constitution of India.

Per contra, Mr. Sandeep Pathak, learned counsel appearing for NHAI, on instructions, submitted that it is correct that aforesaid Khasra No.572/537 and 567/413 have not been acquired

by the respondents, however, it is also a matter of fact that the respondents are not carrying out any sort of construction of Foot Over Bridge by including the aforesaid land of Khasra No.572/537 and 567/413.

Learned counsel for the petitioners thereupon submits that by creating unnecessary boundary dispute, despite admitting the fact that the aforesaid land has not been acquired, the respondents have dug pits over the aforesaid land of the petitioners.

In view of the above rival submissions, this Court is of the view that since, admittedly land situated at Khasra No.572/537 and 567/413 of village Khojawala has not been acquired by the respondents, they shall not carry out any construction of any kind over the aforesaid land, without resorting to acquisition proceedings as per law.

As regards demarcation of land of the petitioners is concerned, it is also submitted by learned counsel for the petitioners that revenue officials of the area in question are already under influence of respondents, therefore, this Court also deems it just and proper to direct the District Collector, Jaipur to depute a team of one Tehsildar and two Patwaris to measure and demarcate the aforesaid land of the petitioners by using EDM machine and report in this regard shall also be filed by the next date.

It goes without saying that the respondents are at liberty to continue their construction on other land excluding the aforesaid land of the petitioners.



[CW-8259/2026]

Learned counsel for the respondents is directed to serve copy of this order upon the District Collector, Jaipur. Upon receiving copy of this order, necessary exercise of measurement and demarcation shall be carried out within a period of 7 days thereafter.

List the matter on 20.07.2026.

(ANAND SHARMA),J

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