

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11206/2024

Damodar Ropeways And Infra Limited, Through Its Authorized Representative Mr. Deepak Saxena Aged About 60 Years, Residing At 28, Yamuna Path, Shyam Nagar, Jaipur 302019.

-----Petitioner

Versus

1. District Magistrate, Jaipur, Near Collectorate Circle, Banipark, Gopalbari, Jaipur, Rajasthan 302016, India.
2. Mandir Shree Garh Ganesh Ji Trust, Brahmpuri Having Address At Near Gatore Ki Chhatrriya, Brahmpuri, Jaipur Rajasthan-302002 Through Its Trustee Pradeep Acharya.
3. M/s Shivamprime Infraprojects Private Limited, Having Its Office At In The Premises Of Shivam Residency, Plot No. 84, Sindhi Colony Bani Park, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Sanjay Jhanwar, Sr. Adv. Mr. Rajat Sharma, Adv. Mr. Akshay Sharma, Adv.
For Respondent(s)	:	Mr. J.P. Goyal, Sr. Adv. assisted by Ms. Sakshi Tiwari, for NP-2 Mr. Amit Gupta & Mr. Hardik Mishra, for NP-3

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

01/08/2024

Learned counsel for the petitioner submits that vide order dated 18.03.2024 passed in S.B. Civil Writ Petition No.13497/2023, the respondent No.1 was directed to decide the representation filed by the petitioner. It is further submitted that said representation was submitted by the petitioner raising several objections and grievances including issuing permission to construct ropeway for Mandir Shree Garh Ganesh Ji (NP-2). He

further submits that vide impugned order dated 01.05.2024, the detailed representation submitted by the petitioner has been decided without considering the objections raised by the petitioner. It is further submitted that respondent No.3 is allowed to construct the ropeway for Mandir Shree Garh Ganesh Ji while it is evident from record that no application was submitted by respondent No.3 seeking permission to construct the ropeway. Learned counsel contends that respondent No.2, who is Mandir Shree Garh Ganesh Ji Trust, has no authority to grant permission to construct the ropeway in favour of respondent No.3.

Matter requires consideration.

Issue notice to the respondents.

Learned counsel Mr. J.P. Goyal and Mr. Amit Gupta, put in appearance on behalf of respondent Nos. 2 & 3 respectively. Copy of this petition has already been supplied to them.

Let notice be issued to respondent No.1 through both the processes. Rule is made returnable within a period of six weeks.

Requisites be filed within a period of two weeks failing which, this petition shall stand dismissed automatically without further reference to the Bench.

If this order is complied within time frame, list this case after six weeks.

Till next date of hearing, the parties are directed to maintain status quo with respect to the construction activity of ropeway in question, as it exists today.

(ANIL KUMAR UPMAN),J