


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11317/2024

Deendayal S/o Bhorya, Resident Of Village Beejwad, Tehsil Malakheda, District Alwar.

----Petitioner

Versus

1. Kishanlal S/o Mangyaram, Resident Of Village Beejwad, Tehsil Malakheda, District Alwar
2. Chetram S/o Kishanlal, Resident Of Village Beejwad, Tehsil Malakheda, District Alwar
3. Ramsingh S/o Mangyaram, Resident Of Village Beejwad, Tehsil Malakheda, District Alwar
4. Sureshchand S/o Kishanlal, Resident Of Village Beejwad, Tehsil Malakheda, District Alwar
5. Asraf S/o Arjun, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
6. Isab S/o Harisingh, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
7. Uma D/o Ramswaroop, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
8. Omprakash S/o Mannulal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
9. Kamla W/o Kailashchand, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
10. Pappuram S/o Kailashchand, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
11. Sanjay @ Teeka S/o Kailashchand, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
12. Manoj S/o Kailashchand, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
13. Meenabai D/o Kailashchand, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
14. Kailashchand S/o Ramswaroop, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
15. Khurshid S/o Imam Khan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.

16. Jagdev S/o Arjan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
17. Jitendra S/o Mannulal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
18. Deendayal S/o Bhaira, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
19. Pankaj S/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
20. Pushpadevi W/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
21. Pinki D/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
22. Vimla W/o Mannalal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
23. Bhambal S/o Sohanlal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
24. Majjar S/o Imam Khan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
25. Madhu W/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
26. Manoj Kumar S/o Lallu, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
27. Mubina W/o Umardin, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
28. Rajnikant S/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
29. Rajkumar S/o Mannulal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
30. Ramsahay S/o Sohanlal, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
31. Rinki D/o Ramcharan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
32. Lakshmi D/o Ramswaroop, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
33. Vinod Kumar S/o Lallu, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
34. Shrikant S/o Ramcharan, Resident Of Beejwad, Tehsil

Malakheda, District Alwar.

35. Santosh Kumar S/o Lalluram, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
36. Sube Khan S/o Arjun, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
37. Shyodani S/o Arjun, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
38. Hasanvi W/o Goverdhan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
39. Lallu S/o Goverdhan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
40. Hussaina S/o Goverdhan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
41. Kala S/o Hussaina, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
42. Israel S/o Hussaina, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
43. Panchi D/o Hussaina, W/o Sama Khan, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
44. Kalli W/o Jhabbar, D/o Hussaina, Resident Of Beejwad, Tehsil Malakheda, District Alwar.
45. Simmy W/o Faku, D/o Hussaina, Resident Of Beejwad, Tehsil Malakheda, District Alwar.

-----Respondents

For Petitioner(s)	:	Mr. Jai kishan Yogi Mr. Yenu Satyan
For Respondent(s)	:	Mr. Shri Ram Yadav

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

15/07/2024

1. Petitioner has filed this writ petition, feeling aggrieved by carving out of the 12 feet way from his agricultural land under Section 251-A of the Rajasthan Tenancy Act, 1955 pursuant to the

order of SDO, Malakheda, District Alwar dated 06.07.2022, which has been affirmed by the Rajasthan Appellate Authority, Alwar and Board of Revenue.

2. On behalf of respondent No.1, counsel has put in appearance as Caveator and states that pursuant to the order of SDO, an amount of Rs.2,80,690/-, i.e., double of the prevailing DLC rate, has been deposited and the orders impugning have been implemented as much as the way at the site has been carved out which is open for access of the people.

3. In support of such contention, the attention of this Court has been drawn to the order dated 27.12.2022 passed by Revenue Appellate Authority, wherein such observations have been made.

4. Heard.

5. Issue notice to respondents. On the request of counsel for petitioner, the service of respondents No.5 to 45, who have been made as party as proforma respondents, is dispensed with. Notices be issued to the Respondents No.2 to 4 by both modes ordinary as well as registered posts.

6. In such view of the matter, keeping the way in question to be open at site, parties shall maintain status quo.

(SUDESH BANSAL),J