

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 10778/2026

Shahroon S/o Sumer Khan & Ors.

-----petitioner(s)

Versus

The State of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Girraj Prasad Gadhwal Mr. Mustak Ahmed
For Respondent(s)	:	Mr. V.D. Gathala, AGC

HON'BLE MR. JUSTICE ANUROOP SINGHI (V.J.)

Order

23/06/2026

The present writ petition has been filed by the petitioners being aggrieved by the impugned notice dated 16.06.2026 (Annex.2), issued by the respondent No.6– The Assistant Engineer Public Works Department (PWD) vide which, the petitioner(s) has been directed to remove the encroachments falling within the area of 12.5 meters starting from the center of the road in front of the *khatedari* land of the petitioner(s) situated at Khasra No.318, Village Budli, Tehsil Sikri, District – Deeg (Raj.).

Mr. Girraj Prasad Gadhwal, learned counsel appearing for the petitioner(s) submits that the respondents by way of the impugned notice are bent upon to dispossess and acquire the *khatedari* land of the petitioner(s), which is absolutely contrary to law.

Learned counsel further submits that the impugned notice has been served only upon the petitioner(s) which by itself demonstrate arbitrariness of the respondents.

Mr. V.D. Gathala, learned Additional Government Counsel is appearing on behalf of the respondent Nos. 1 to 5 and submits that the construction of the road is imperative and would surpass any private interest. He further submits that it is only the encroachments which have been directed to be removed for ensuring construction of the road and that the petitioner(s) have no right or authority to raise any construction on land beyond their *khatedari* land and any such encroachments deserves to be removed. However, he very fairly submits that no construction of road is intended to be made on the *khatedari* land of the petitioner(s).

Taking note of the above facts, issue notice to the respondents.

Mr. V.D. Gathala, learned Additional Government Counsel puts in appearance on behalf of the respondent Nos.1 to 5.

Let notice be filed only *qua* respondent No.6, returnable within a period of four weeks, both by ordinary process as well as registered post. Notices be given '*Dasti*' to the learned counsel for the petitioner(s).

List the matter on 05.08.2026 after showing the name of Mr. V.D. Gathala in the cause-list.

Till the next date, the respondents are restrained from dispossessing the petitioner(s) or demolishing any construction raised by the petitioner(s) on their *khatedari* land. However, it is clarified that any construction made by the petitioner(s) beyond

their *khatedari* land would not stand protected by this order and the respondents would be at liberty to proceed ahead with the construction of the road, strictly in accordance with law.

(ANUROOP SINGHI (V.J.)),J