

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 9921/2010

Yog Darshan Parmarthik Trust

-----Petitioner

Versus

State Of Raj And Ors

-----Respondent

For Petitioner(s)	:	Mr. Arvind Bhardwaj with Mr. Inder Jeet Tak
For Respondent(s)	:	Mr. GS Gill, AAG assisted by Ms. Shikha Sharma Mr. Rajesh Mootha Mr. Parag Rastogi

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

11/09/2024

The affidavit of the Collector, Kota reveals that there are encroachments in as many as 86 parks of UIT area, Kota.

Policy dated 08.09.2010 promulgated by the State in compliance of the order passed by Hon'ble Supreme Court in the case of **Union of India Vs. State of Gujarat & Ors. [Special Leave to Appeal (Civil) No(s). 8519/2006]** provides for regularization in limited number of cases and where no regularization can be done, have removal/shifting.

In the affidavit of the Collector, Kota which was filed way back in the year 2019, it has been averred that illegal constructions are being examined by the authority. However, thereafter, no affidavit has been filed by the Collector to inform the Court as to what steps have been taken in compliance of order dated 08.09.2010 of the State Government either towards

regularization or removal/shifting of unauthorized construction of the parks.

Let a proper affidavit giving updated status of action, if any, taken in compliance of order dated 08.09.2010 be filed within six weeks.

The affidavit shall clearly state the action plan in terms of order dated 08.09.2010, so that this petition can be finally disposed of with proper directions/orders on the next date of hearing.

List on 24.10.2024.

(ASHUTOSH KUMAR),J

(MANINDRA MOHAN SHRIVASTAVA),CJ

RAJAT/RAHUL/84