

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 11764/2022

Kishan Lal Vaishnav, S/o Dashrath Lal Vaishnav And Anr.

-----Petitioners

Versus

The Chief Secretary And Ors.

-----Respondents

For Petitioner(s)	:	Mr. Aman Pareek with Mr. Rajat Ranjan
For Respondent(s)	:	Ms. Shikha Sharma, AAAG Mr. Vinodi Lal Mathur

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BIPIN GUPTA

Order

01/05/2026

1. Learned counsel appearing for respondent No.8 wants time to file reply.
2. We notice that the State Government has filed their reply and admitted that there is encroachment on *Khasra* Nos. 2215/ 722 and 2252/565 of Village Sursura, Tehsil Rupangarh.
3. It is further stated by an affidavit that a revenue suit has been filed with regard to the said land. However, it is clear that a land recorded as '*Gair Mumkinaav*' or '*petatalab*', cannot be made the subject matter of revenue proceedings and has to remain in the same condition. No person can claim possession or any rights over land of such a nature.
4. In view thereto, steps will be taken by the State Government to remove all the encroachments. If required, appropriate police assistance may also be sought for the said purpose.

5. So far as, respondent No.8 is concerned, it is made clear that if he has encroached on the aforesaid land, he would himself take steps to vacate the place, failing which the Authorities would be free to take appropriate steps against respondent No.8 too.

6. List this case again on 15th July, 2026.

(BIPIN GUPTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ