

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 745/2026

IN

S.B. Civil Writ Petition No.10389/2026

URN: SAW / 1577U / 2026

1. Jyana Devi W/o Shri Mulya Choudhary, Aged About 73 Years, R/o Plot No 16, Kirti Sagar C, Village Manyawas, Jaipur.
2. Mangi Devi W/o Late Shrijagannath, Aged About 74 Years, R/o Plot No. 13 Kirtisagar C, Village Manyawas, Jaipur.
3. Banshilal S/o Shri Suva Lal, Aged About 45 Years, R/o Plot No. 48, Kirtisagar C, Village Manyawas, Jaipur.

----Appellants

Versus

1. Jaipur Development Authority, Through Its Secretary, Indira Circle, JawaharlalNehrumarg, Jaipur.
2. Toma Devi W/o Shrisheoji, Aged About 47 Years, R/o Plot No. 15, Kirtisagar C, Village Manyawas, Jaipur.

----Respondents

Connected with

D.B. Special Appeal Writ No. 740/2026

IN

S.B. Civil Writ Petition No.10347/2026

URN: SAW / 1570U / 2026

Bajrang Panwar S/o Shri Gopiram Panwar, Aged About 63 Years, Resident Of Plot No. 64, Tirupati Vihar, Gram Manyawas, Tehsil Sanganer, District Jaipur.

----Appellant

Versus

1. The Jaipur Development Authority, Through Secretary, Jawahar Lal Nehru Marg, Jaipur.
2. Deputy Commissioner Zone - Prn, South First

Samudayik Kendra, Patrakar Colony, Sanganer, Jaipur.

-----Respondents

D.B. Special Appeal Writ No. 742/2026

IN

S.B. Civil Writ Petition No.11378/2026

URN: SAW / 1574U / 2026

1. Sunita Saini D/o Late Shri Ramnarayan Saini, Aged About 40 Years, R/o Plot No. 132, Gulab Vihar, Tonk Road, Sanganer, Jaipur
2. Santosh Saini W/o Shri Vijay Saini, Aged About 44 Years, Plot No. 58, Surya Nagar, Taroon Ki Koont, Tonk Road, Sanganer, Jaipur.
3. Smt. Kavita Saini W/o Shri Vishnu Saini, Aged About 41 Years, R/o Plot No.11, Nand Colony, Tonk Road, Jaipur.
4. Asha Saini D/o Late Shri Ramnarayan Saini, Aged About 33 Years, R/o Plot No. 11, Nand Colony, Tonk Road, Jaipur.

-----Appellants

Versus

Jaipur Development Authority, Through Secretary, Jawahar Lal Nehru Marg Jaipur.

-----Respondent

D.B. Special Appeal Writ No. 743/2026

IN

S.B. Civil Writ Petition No.11370/2026

URN: SAW / 1575U / 2026

1. Trilok Chaudhary S/o Shri Pramod Chaudhary, Aged About 44 Years, R/o Plot No. 14, Mahesh Nagar, Manyavas, Sanganer Road Jaipur
2. Ghasi Ram Jangid S/o Shri Kanhaiya Jangid, Aged About 63 Years, R/o 15A, Mahesh Vihar, Manyavas, Sanganer Road Jaipur
3. Smt. Prem Devi W/o Shri Gyarsi Lal, Aged About 40

Years, R/o 2F, Mahesh Vihar, Manyavas, Sanganer Road Jaipur

4. Ram Lal S/o Shri Bhairuram Saini, Aged About 46 Years, R/o 12C, Mahesh Vihar, Manyavas, Sanganer Road Jaipur
5. Govind Ram Saini S/o Shri Bhairuram Saini, R/o 12B, Mahesh Vihar, Manyavas, Sanganer Road Jaipur
6. Nandram Saini S/o Shri Bhairuram Saini, R/o 3D, Mahesh Vihar, Manyavas, Sanganer Road Jaipur
7. Radheshyam Saini S/o Shri Bhairuram Saini, R/o 12, Mahesh Vihar, Manyavas, Sanganer Road Jaipur
8. Shankar Lal Saini S/o Shri Ramlal Saini, Aged About 46 Years, R/o 52 Gopal Nagar Vistar, Manyavas, Mansarovar Jaipur
9. Pooranmal Saini S/o Shri Ramlal Saini, Aged About 48 Years, R/o C-76 6D Engineers Colony, Manyavas, New Sanganer Road, Jaipur
10. Vijay Chaudhary S/o Shri Omprakash Chaudhary, Aged About 36 Years, R/o Plot No. 25, Kirti Sagar-C, Manyavas, New Sanganer Road, Jaipur
11. Smt. Lalita Sharma W/o Shri Ved Prakash Sharma, Aged About 53 Years, R/o 15-A, Mahesh Vihar, Manyavas, Mansarovar, Jaipur

-----Appellants

Versus

1. Jaipur Development Authority, Aged About 46 Years, Through Secretay Jawahar Lal Nehru Marg Jaipur
2. Kaushalaya Devi W/o Late Shri Lekhraj Saini, Aged About 42 Years, R/o D-39, Scheme 6D, Engineers Colony, New Sanganer Road, Mansarovar, Jaipur.
3. Vipin Saini S/o Late Shri Lekhraj Saini, Aged About 23 Years, R/o D-39, Scheme 6D, Engineers Colony, New Sanganer Road, Mansarovar, Jaipur.
4. Sakshi Saini D/o Late Shri Lekhraj Saini, Aged About 21 Years, R/o D-39, Scheme 6D, Engineers Colony, New Sanganer Road, Mansarovar, Jaipur.
5. Vikas Saini S/o Late Shri Lekhraj Saini, Aged About 20 Years, Minor Through Mother Kaushalaya Devi R/o D-39,

Scheme 6D, Engineers Colony, New Sanganer Road,
Mansarovar, Jaipur.

----Respondents

D.B. Special Appeal Writ No. 744/2026

IN

S.B. Civil Writ Petition No.10348/2026

URN: SAW / 1576U / 2026

Moolchand Saini Son Of Shri Kanhaiya Lal Saini, Aged About 60
Years, Resident Of Plot No. D-9 To D-15, Tirupati Vihar, Village
Manyawas, Tehsil Sanganer, District Jaipur (Rajasthan).

----Appellant

Versus

1. Jaipur Development Authority, Through Its Secretary, Jln
Marg, Indira Circle, Jaipur (Rajasthan).
2. Deputy Commissioner Zone-(Prn), South-I, Samudayak
Kendra, Pattarkar Colony, Sanganer, Jaipur (Rajasthan).

----Respondents

For Appellant(s)	:	Mr. Rajesh Maharishi with Mr. Devanshu Saini & Ms. Vaishnavi Pareek. Mr. Saransh Saini. Mr. Sandeep Pathak with Ms. Jaya P. Pathak & Mr. Utkarsh Meena. Mr. Shailesh Prakash Sharma, through VC.
For Respondent(s)	:	Mr. Amit Kuri with Mr. Ayush Sharma & Mr. Dharma Ram for Jaipur Development Authority. Mr. Prahlad Sharma with Mr. Lakhan Sharma & Mr. Akshay Sharma.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

14/07/2026

1. Since identical questions of law are involved in these appeals, therefore with consent of the parties, these appeals have been heard finally and are being decided by the present order.
2. These intra-court appeals have been preferred by the appellants challenging the orders dated 01.07.2026 & 03.07.2026 passed by the learned Single Judge in the respective writ petitions.
3. While passing the interim order dated 01.07.2026 in S.B. Civil Writ Petition No.10389/2026, the learned Single Judge, in para Nos. 15 to 20, observed as under:-

“15. In view of above, at this stage, looking to the interest of public at large, this Court grants liberty to the Jaipur Development Authority to construct actual road of 80 feet by measuring 40 feet at either side from center line of road sanctioned in meeting dated 15.07.2025.

16. It goes without saying that in case, any obstruction is existing in construction of such proposed road having 80 feet, the authorities of JDA shall also be at liberty to remove the same.

17. The compliance of this order shall also be placed within a period of 15 days from today.

18. This interim order shall remain subject to decision of the writ petition and shall not prejudice any rights of the petitioners.

19. So far as land measuring 3 mtr. wide, proposed for footpath at either side of the road, shall not be used either by the

petitioners, nor by the Jaipur Development Authority for the purpose of any construction whatsoever till disposal of the writ petition.

20. Let these matters be listed on 17.07.2026.”

4. Grievance of the appellants before this Court is that the learned Single Judge has failed to appreciate the controversy in its proper perspective and alignment of the road in question is the subject matter of challenge before the learned Single Judge. Counsels further argued that while passing the interim orders, the learned Single Judge directed the respondent–Jaipur Development Authority (hereinafter to be referred as ‘JDA’) to construct an 80 feet wide road out of the proposed 100 feet road, leaving 10 feet wide footpath on each side and further directed the parties not to use the said land proposed for footpath till the disposal of the writ petition. Counsels further argued that since the matter is sub-judice before the learned Single Judge, the learned Single Judge has erred in directing the construction of the disputed road as sanctioned in the meeting of JDA dated 15.07.2025. Counsels further argued that the dispute has a chequered history and in the first round of litigation, the matter travelled up to the Division Bench of this Court, in which the Division Bench of this Court remanded the matter to the JDA Appellate Tribunal (hereinafter to be referred as ‘Tribunal’) and thereafter, the Tribunal remanded the matter to the JDA for fresh consideration and the JDA while reconsidering the matter, in its meeting dated 15.07.2025, illegally altered the alignment of the road. Counsels further argued that

the appellants challenged the said decision before the Tribunal, however, their appeals were dismissed and aggrieved thereby, the appellants approached the learned Single Judge by filing the writ petitions. Counsel further argued that the learned Single Judge, by way of the impugned interim orders, directed the respondent-JDA to construct the disputed road, thereby virtually granting the final relief sought in the writ petitions, leaving nothing further to be adjudicated by the learned Single Judge.

5. Mr. Amit Kuri, learned counsel appearing on behalf of the JDA opposed the submissions made by the counsels for the appellants and submitted that the present appeals challenge only the interim order passed by the learned Single Judge. He further argued that the learned Single Judge, after considering the issues involved and the larger public interest, has rightly directed the respondent-JDA to construct the road in dispute and remove the encroachments therefrom. He further argued that the learned Single Judge has rightly taken into consideration the fact that no lease deed has been issued by the JDA nor by any statutory authority in favour of the appellants. Counsel further argued that, pursuant to the interim order, the JDA has already removed 34 encroachments and is in the process of removing the remaining approximately 24 encroachments from the road in question. He further argued that the land over which the disputed road is proposed was duly acquired by the JDA and thereafter, the road network plan was prepared in compliance with the directions issued by this Court from time to time in various writ petitions and lastly, prayed for dismissal of the present appeals filed by the appellants.

6. Heard counsel for the parties and perused the material available on record.

7. These appeals filed by the appellants deserve to be dismissed for the reasons; firstly, the appellants have challenged only the interim order passed by the learned Single Judge, while the writ petitions are still pending adjudication before the learned Single Judge; secondly, the learned Single Judge, keeping in view the larger public interest, has rightly directed the JDA to remove the encroachments from the proposed road and lastly, the learned Single Judge has rightly taken note of the fact that the appellants do not possess any lease deed issued by the JDA nor by any statutory authority in favour of the appellants, therefore, in the facts and circumstances, we are not inclined to interfere with the interim orders passed by the learned Single Judge.

8. In that view of the matter, these appeals stand dismissed.

9. Copy of this order be separately placed in each connected file.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J