

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition (PIL) No. 12680/2019

Lalu Singh Rajput S/o Ishwar Singh

-----Petitioner

Versus

State Of Rajasthan Through Principal Secretary

-----Respondent

For Petitioner(s) : Mr. Dilip Singh Kurka

For Respondent(s) :

**HON'BLE MR. JUSTICE MOHAMMAD RAFIQ
HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA
Order**

29/07/2019

Contention of learned counsel for the petitioner is that respondent Nos.6 and 7 are illegally raising commercial construction on the land of Plot Nos.36 and 37, Hari Nagar III, Vikas Samiti, Swej Farm, Jaipur adjacent to New Sanganer Road even though it is a residential colony.

The width of the road on which multistory building is being constructed is hardly 30 feet, even then the construction has been raised up to height of ground plus four floors whereas, the maximum permission for construction of more than ground plus two floors could be granted on such road. No parking area has been left and construction has been made on the setback area.

It is contended that on complaint of the petitioner the premises were sealed by Nagar Nigam, Jaipur on 18.03.2019. It remained sealed as long as for 240 days but subsequently, the premises has been de-sealed and construction is now going on in full swing.

Issue notice to the respondents, returnable by six weeks.

In the meanwhile, the status quo with regard to the construction in question on the land of Plot Nos.36 and 37, Hari Nagar III, Vikas Samiti, Swej Farm, Jaipur shall be maintained by the parties. The Commissioner of Nagar Nigam, Lal Kothi, Jaipur and Deputy Commissioner Zone No.5, Nagar Nigam, Civil Lines Zones, Jaipur shall ensure compliance of this order.

(NARENDRA SINGH DHADDHA),J

(MOHAMMAD RAFIQ),J

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सत्यमेव जयते