

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH, JAIPUR**

ORDER

S.B. CIVIL WRIT PETITION NO. 8481/2015
KAILASH CHAND SHARMA VS. THE STATE OF RAJASTHAN & ANOTHER.

DATE OF ORDER : 19.06.2015

HON'BLE MR. JUSTICE ATUL KUMAR JAIN(V.J.)

Mr. S.N. Meena, for the petitioner.

Heard learned counsel for the petitioner.

In an identical writ petition, i.e., S.B. Civil Writ Petition No. 14668/2014(Lal Chand Meena Vs. The State of Rajasthan & Another), an order was passed on 08.01.2015 by Co-ordinate Bench of this Court in following terms:

“Contention of learned counsel for petitioner is that the petitioner is having shop on his own land and the respondents are seeking to demolish that shop without acquiring the land and without following due process of law. In identical case already order of status-quo has been passed by this court. The petitioner is agreeable to part with his land if he is awarded any other alternative land as given to others in the same case whose lands were taken for widening the road.

It is contended that the Jaipur Development Authority itself has identified alternative land for awarding to the petitioner in lieu of his land. If the petitioner is awarded alternative land, he would have no objection.

Issue notice. Rule is made returnable by eight weeks. Till returnable date, status quo with regard to land of the petitioner shall be maintained and that he shall not be dispossessed. If, however, in the meantime it would be open to the respondents to widen the road if they allot another alternative land to the petitioner referred to in their letter dated 21.11.2014.

List along-with connected matters.”

It has also been submitted that S.B. Civil Writ Petition No. 8725/2006(Dharmendra Mishra & Others Vs. State of Rajasthan & Another) and S.B. Civil Writ Petition No. 2927/2007(Sumit Sharma &

Another Vs. State of Rajasthan & Another), identical to present writ petition, are also pending in this Court.

Issue notice of writ petition as well as stay application to respondents, returnable by 30.06.2015. Notices be given 'Dasti' to learned counsel for the petitioner.

Till 30.06.2015, the respondents shall maintain status quo with regard to Plot No. 58, measuring 193.66 sq. yards situated at Brij Watika, Jagatpura, Jaipur.

In case, notices of writ petition as well as stay application are not served upon the respondents up to 30.06.2015, then stay order passed by this Court shall automatically lapse on 30.06.2015.

List this writ petition on 30.06.2015 along with S.B. Civil Writ Petition Nos. 8725/2006, 2927/2007 and 14668/2014.

(ATUL KUMAR JAIN),V.J.

Manoj.

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed." MANOJ NARWANI Personal Assistant.

सत्यमेव जयते