

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15545/2024

1. Krishan Gurjar Son Of Shri Ramjilal, Aged About 45 Years, R/o Village Basdayal, Tehsil-Narayanpur, District-Kotputli-Behror, Rajasthan
2. Dataram Gurjar Son Of Shri Baksaram Gurjar, Aged About 53 Years, R/o Village Basdayal, Tehsil-Narayanpur, District-Kotputli-Behror, Rajasthan
3. Adisal Son Of Shri Shyopal, Aged About 55 Years, R/o Village Basdayal, Tehsil-Narayanpur, District-Kotputli-Behror, Rajasthan
4. Malaram Son Of Shri Leelaram, Aged About 50 Years, R/o Village Basdayal, Tehsil-Narayanpur, District-Kotputli-Behror, Rajasthan
5. Ramesh Chand Son Of Shri Fusaram, Aged About 38 Years, Village Basdayal, Tehsil-Narayanpur, District-Kotputli-Behror, Rajasthan

----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Home Department, Govt. Secretariat Jaipur Rajasthan
2. The Director General Of Police, Police Headquarter, Lal Kothi, Jaipur Rajasthan
3. The Inspector General Of Police, Jaipur Range Jaipur. Rajasthan
4. The District Collector, District Kotputli-Behror. Rajasthan
5. The Superintendent Of Police, District Kotputli-Behror. Rajasthan

----Respondents

For Petitioner(s)	:	Mr. Rajeev Kumar Sogarwal
For Respondent(s)	:	Mr. Ajay Pratap Singh Mr. Vishnu Dutt Sharma for Mr. Bhuwnesh Sharma, AAG

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

23/03/2026

1. The matter comes up on misc. application (IA No.2/2025) filed by the respondents for vacation of *ex-parte* interim order

dated 01.10.2024 passed by Co-ordinate Bench of this Court. However, in view of the consent of both the parties, the matter is being heard finally.

2. By filing the instant writ petition under Article 226 of the Constitution of India, the petitioners have made challenge to the order dated 23.08.2028 issued from the office of Government of Rajasthan Home (Group-2) Department, whereby administrative sanction was issued for change of Headquarter of Police Station of Basdayal from Gram Basdayal to Gram Panchayat Karana.

3. Learned counsel for the petitioners submits that action of the respondents in changing the Headquarter of Police Station Basdayal is illegal and arbitrary and is against the public interests. He also submits that after establishment of the Police Station at Gram Basdayal, there was certain decrease in the crime in area. Learned counsel further submits that the order of change of Headquarter of Police Station Basdayal is under political influence.

4. Reply has also been submitted by the respondents and during the course of arguments have submitted that there is no illegality or *malafide* in change of the Headquarter of the Police Station of Basdayal. It was also submitted on behalf of the respondents that at which place the Headquarter of a Police Station to be kept, is an administrative prerogative of the Government after considering the other relevant factors.

5. As per the facts on record, in the Budget Year 2023-24 in the Rajasthan Assembly, a declaration was made for establishment of a Police station at revenue Village Basdayal, Tehsil Narayanpur, District Kotputli-Behror and thereafter, a notification was issued on 05.06.2023 for establishment of Police Station which includes area

of around 38 villages. The Gram/Village is said to have made allotment of a land of 1000 square yard for construction of the building of the Police Station.

6. In writ jurisdiction under Article 226 of the Constitution of India one can approach the High Court for safeguard of his fundamental rights provided under Constitution and other legal rights. Establishment of a Police Station or its Headquarter at particular place in no manner can be said to be a fundamental right or legal right of any citizen. At which place the Police Station to be established or at which place its Headquarter to be made, it is prerogative of the State Government after taking into consideration all the relevant factors.

7. The petitioners have not been able to show in what manner their fundamental rights provided under Constitution have been infringed by issuance of the impugned order. They have also not been able to show how the impugned order is illegal or arbitrary.

8. The Court finds no merit in the writ petition, hence, the same is dismissed.

9. In view of the order passed in the main petition, the stay application as well as pending application, if any, also stands disposed of.

(GANESH RAM MEENA),J