

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

S.B. Civil Writ Petition No. 8520 / 2017

Sita Ram Devanda And Anr

-----Petitioner

Versus

State Of Raj And Ors

-----Respondent

Connected With

S.B. Civil Contempt Petition No. 135 / 2008

Brijendra Singh

-----Petitioner

Versus

D C Samant

-----Respondent

For Petitioner(s) : Mr Rajendra Soni with Mr Nitesh Garg

For Respondent(s) : Mr Rajendra Prasad, AAG with Mr Atul Singh
Chouhan

Mr Ramniwas Meena for Mr Manoj Sharma

Mr Smriti Chandra for Mrs Naina Saraf

Mr Rinesh Gupta

HON'BLE MR. JUSTICE M.N.BHANDARI

Order

14/09/2017

The application is to seek disposal of the writ petition at this stage. Learned Additional Advocate General Mr Rajendra Prasad submits that this case has checkered history. These cases

earlier travelled to the Division Bench where appropriate directions were given. The Jaipur Development Authority was given liberty to maintain width of the road as shown in the master plan or to take appropriate decision. Initially, a decision was taken to maintain width of the road to be of 100 feet. The decision aforesaid could not be given final shape. In the meanwhile, writ petition was decided by the Division Bench and, accordingly, final decision was taken to maintain width of the road at some places 40 feet, at other places 60 feet and 80 feet. Since the change in the master plan is required to be made thus further exercise has not been taken.

Learned Additional Advocate General was asked to clarify as to how and in what circumstances they can make change in the master plan after the judgment in the case of "Gulab Kothari. Versus State of Rajasthan & ors", DB Civil Writ Petition (PIL) No.1554/2004, decided on 12.1.2017 at Principal Seat, Jodhpur. He is further directed to clarify as to whose land exist beyond 40 feet where width is decided to that extent and, similarly, for 60 feet and 80 feet. Whether it is government land or belong to a private person. The approved map may also be brought.

The direction aforesaid has been given keeping in mind the order passed by the Division Bench in the case of Gulab Kothari (supra) though it is pending consideration before the Apex

List these cases on 9.10.2017.

bnsharma

