

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15542/2025

Shri Digamber Jain Mumukshu Mahila Ashram, (Krishna Bai Jain Ashram), Shri Mahaveer Ji Through Its Vyavasthapika Laxmi Bai Jain @ Laccho Devi Jain W/o Late Shri Rajendra Jain, Aged About 82 Years, R/o Krishna Bai Ashram Shri Mahaveer Ji, District Karauli (Rajasthan).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Secretary-Cum-Commissioner, Panchayati Raj Department, Secretariat, Jaipur (Rajasthan).
2. The District Collector Karauli, District Karauli (Rajasthan).
3. The Sub- Divisional Officer Hindaun City, District Karauli (Rajasthan).
4. The Chief Executive Officer Zila Parishad Karauli, District Karauli (Rajasthan).
5. The Block Development Officer, Panchayat Samiti Shri Mahaveer Ji Karauli, District Karauli (Rajasthan).
6. The Village Panchayat Akbarpur, Panchayat Samiti Shri Mahaveer Ji Through Its Sarpanch Karauli, District Karauli (Rajasthan).

-----Respondents

For Petitioner(s)	:	Mr. Sunil Kumar Singodiya
For Respondent(s)	:	None present

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

10/11/2025

1. Learned counsel for the petitioner submits that the petitioner would be satisfied, if appropriate directions are given to the Public Land Production Cell constituted in pursuance of the directions given by the Division Bench of this Court to decide the

representation of the petitioner regarding grievances raised in the present writ petition.

2. Limited prayer of the petitioner deserves acceptance.
3. The present petition has been filed on behalf of the petitioner with the following prayer:-

"It is, therefore, respectfully prayed that your Lordships may kindly please to call for the entire record of the case, examine the same and allow the writ petition by passing an appropriate writ, order or direction: -

i. May kindly be quashed and set aside the order dated 22.06.2023(Annex-5) Passed By Learned Sub Divisional Officer, Hindaun and also quashed & set aside the impugned order dated 13.09.2024 (Annex-6) and further may kindly be declared all the Pattas or any other documents by which the land of Khasra No. 2685 (New Khasra No.2896/2685) and Khasra No.2686 (New Khasra No.2898/2686) have been allotted/transferred for the purpose of residential/commercial may kindly be declared as illegal and void-ab-initio and the respondents be directed to take appropriate steps for cancellation of Pattas for the land of Khasra No. 2685 (New Khasra No.2896/2685) and Khasra No.2686 (New Khasra No.2898/2686) and also directed to restore the position as existed before issuance of order dated 22.06.2023 as well as 13.09.2024 and the respondents be also directed to take appropriate steps for protecting the land of petitioner ashram and further the respondents be directed to institute Criminal proceedings against the persons who played role in converting the land recorded as Gair Mumkin Sarak to Abadi land.

ii. Without prejudice from the aforesaid the respondents be directed to consider the representations submitted by the petitioner Ashram by constituting PLPC and further directed to take appropriate steps in accordance with the provisions of law.

ii. Any other order which this Hon'ble Court deems fit in the facts and circumstances of the case may also be passed in favor of the petitioner,"

2. Learned counsel for the petitioner submits that several complaints/representations have been submitted by the petitioner before the concerned Revenue Authorities including District Collector, Karauli, who is Chairman of Public Land Protection Cell (hereinafter referred to as 'PLPC') for removal of encroachment from the land in dispute, but no heed has been paid by the concerned Authorities.

3. The issue is in regard with removal of encroachment over the pasture land/land of johad, talab/ river/ river bed/ public way/ Shamshan/ Kabristan etc. i.e. it means all types of public utility lands was considered by the Division Bench of this Court vide order dated 30.01.2019 passed in case of **Jagdish Prasad Meena & Ors. Vs. State of Rajasthan & Ors. [D.B. Civil Writ Petition (PIL) No.10819/2018]**. The Division Bench vide impugned order dated 30.01.2019, directed the State Government to constitute 'PLPC' to deal with the issues in regard with such encroachments and in pursuance thereof, special designated 'PLPC' has been constituted in the rural areas headed by concerned District Collector. It is incumbent for the 'PLPC' to inquire and examine such complaints/representations made with allegations of encroachment over the public utility lands by deputing concerned Sub Divisional Officer/Tehsildar/Naib Tehsildar so as to verify whether or not such encroachments have actually taken place on such lands. If the allegations of encroachment are found to be sustained, the 'PLPC' may take appropriate steps in accordance with law for removal of encroachments and appropriate panel action be also taken against the trespassers. It was further observed that the complaints/representations received

by the 'PLPC', shall be decided by passing a speaking order with due information to the respective complainant about the action taken. Thus, it is for the 'PLPC' to consider the issue and if any, encroachment as alleged by petitioner over the public utility lands is found, appropriate action/steps be taken in that regard.

4. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to deal with the issue of encroachment as raised by the petitioner in the present writ petition, therefore, the present petition is disposed of with liberty to petitioner to file a comprehensive representation before the concerned 'PLPC' in addition of the earlier representations within a period of 15 days from the date of passing of this order. The 'PLPC' is directed to examine and inquire the allegations made in the representations on merits and pass a reasoned and speaking order after giving opportunity of hearing to the affected persons, preferably within a period of two month from the date of receipt of the said representation.

5. With the aforesaid directions, the present petition stands disposed of.

6. Stay application and any other pending applications also stand disposed of.

(SANJEET PUROHIT),J