


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16211/2024

Chief Secretary, Government Of Rajasthan

----Petitioner

Versus

Sukh Singh Rathore S/o Shri Anand Singh Rathore

----Respondent

For Petitioner(s) : Mr. M.M. Ranjan, Sr. Adv. assisted by
Mr. Basant Singh Chhaba, AAG
For Respondent(s) : Mr. Alok Chaturvedi

HON'BLE MR. JUSTICE SAMEER JAIN

Order

08/04/2026

1. The present writ petition has been filed invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, assailing the consequential order dated 07.08.2023 passed by the learned Rent Tribunal, Jaipur Metropolitan-II as well as the order dated 08.08.2024 passed by the Court of Additional District Judge, No.3 and Appellate Rent Authority, Jaipur Metropolitan-II.

2. It is contended by Mr. B.S. Chhaba, learned AAG, appearing on behalf of the petitioner-State, that the Co-ordinate Benches of this Court, vide orders dated 09.10.2024 and 16.04.2025, have already stayed the operation of the impugned order passed by the learned Rent Tribunal.

3. It is submitted that there exists absolutely no documentary evidence to establish a landlord-tenant relationship *inter se* the parties. It is argued that in the absence of such relationship, the said impugned orders suffer from material perversity and illegality.

4. Learned AAG further submits that a State-run school is presently operating on the disputed premises, which measures approximately 2000 square yards, imparting education to nearly 250 students as on date. While it is an admitted position that the school building is currently in a dilapidated condition, it is submitted that the State has already sanctioned the requisite budget for its repair. It is undertaken on behalf of the State that, despite the matter being *sub judice*, the State is ready and willing to carry out the necessary renovation of the said school premises at its own expense.

5. *Per contra*, Mr. Chaturvedi, learned counsel appearing for the respondent, vehemently opposed the instant petition. It is submitted that there are concurrent findings of fact recorded by both the learned Tribunals. Learned counsel submitted that the grounds presently agitated before this Court are merely an afterthought and were duly considered and adjudicated upon by the learned Tribunal. It is further submitted that the respondent has filed applications for the early disposal of the matter and to bring relevant photographs and documents on record to substantiate their arguments regarding the dilapidated condition of the school.

6. Having heard the arguments advanced by learned counsel for the parties, this Court deems it appropriate to pass interim directions *qua* the welfare of the students and the petitioner-State is directed to carry out the necessary renovation of the concerned school building entirely at their own expense till the next date of hearing. However, it is explicitly made clear that the said renovation shall not create any special equities or rights in favor of

the State, and the same shall remain subject to the final outcome of the present writ petition.

7. List the matter on 03.07.2026.

8. Pending application(s), including those for early disposal and for taking documents on record, shall be considered at the time of final disposal.

(SAMEER JAIN),J