

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 17702/2023
(PUBLIC INTEREST LITIGATION)

1. Kanhaiya Lal Meena S/o Shri Shaitan, Aged About 65 Years, Resident Of Ward No. 19, Baandiyabaas, District Sikar (Rajasthan).
2. Prabhudayal S/o Shri Mothu Ram, Resident Of Kanwarpura Road, Chejaro Ka Mohalla, Ward No.19, Sikar (Rajasthan).

-----Petitioners

Versus

1. The State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Secretariat, Jaipur (Rajasthan).
2. The Secretary, Devsthan, Government Of Rajasthan Secretariat, Jaipur (Rajasthan).
3. The District Collector, Sikar, Rajasthan.
4. The Director General Police, Anti Corruption Department, Jhalana Dungri, Jaipur-4.
5. Inspector General, Stamps, Rajasthan Ajmer, Rajasthan.
6. The Sub-Registrar, Sikar, Rajasthan.
7. The Commissioner, Municipal Council, Sikar, Rajasthan.
8. Mr. Dinesh Kumar Biyani Son Of Late Shri Chiranjeev Biyani, Ward No. 33, Opposite Bajaj Bhawan, Bajaj Road Sikar 332001.
9. Mr. Rajesh Kumar Biyani Son Of Late Shri Chiranjeev Biyani, Ward No. 33, Opposite Bajaj Bhawan, Bajaj Road Sikar 332001.
10. Mrs Sanju Biyani Wife Of Shri Lalit Kumar Biyani, Partner, Mrs. Baldev Enterprises Tabela Road Sikar.332001.
11. Mr. Pawan Kumar Ginodia Son Of Gigranj, R/o Wards No.34 Mohala Shaikhpura, Sikar 332001.

-----Respondents

For Petitioner(s) : Mr. Bhrigu Sharma with
Mr. Palash Srivastava &

Mr. Devansh Sharma

For Respondent(s) : Mr. Vigyan Shah, AAG assisted by
Mr. Sankalp Vijay
Ms. Shikha Sharma, AAAG
Mr. Samee Khan, AAAG
Mr. Vishnu Dutt Sharma, AAAG
Mr. Brij Kishore Sharma
Mr. Sunil Kumar Saini with
Mr. Ripunjay Sharma
Mr. Anoop Pareek

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

28/04/2026

1. Heard.
2. The petitioners came up before this Court assailing the auction of *Dharamshala* land and it is stated that the land was auctioned without any sanction from the Commissioner, Devasthan.
3. This Court vide order dated 02.11.2023 on the basis of the averments observed that under Section 31 of the Rajasthan Public Trust Act, 1959, transfers would be permitted, subject to the directions in the instrument of the trust or any directions given under this Act or any law by any Court and previous sanction of Assistant Commissioner, Devasthan property is necessary and, therefore, taking into consideration the contents of the petition, which alleged that there had been no previous sanctions, this Court proceeded to direct to maintain the status-quo. However, the respondents have filed a reply and have placed on record the sanction granted by the Commissioner, Devasthan on 27.08.2019 and further proceedings of auction taken on the basis thereto.

4. Learned counsel for the petitioners has a grievance that even after the auction was conducted, the funds have not been properly utilized for the said purpose. It is the Assistant Commissioner, Devasthan, who would be required to conduct the enquiry and it seems that an enquiry has already been conducted by the Assistant Commissioner(II), Devasthan, as is apparent from the documents placed on record by the respondents.

5. We need not delve further in this PIL and leave it open for the Devasthan Department to act in accordance with law.

6. With the said observations, this PIL is closed.

(SHUBHA MEHTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

SANJAY KUMAWAT/RAJAT/59