

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Writ Miscellaneous Application No. 451/2025

Sarju Devi Bairwa W/o Shri Janshi Ram Bairwa, Aged About 67 Years, Resident of 7C, Vivekanand Colony, Naya Kheda, Ambabari, Jaipur - 302039

-----Petitioner

Versus

1. State of Rajasthan, Through The District Collector Jaipur, District Jaipur
2. The Deputy District Collector and Magistrate, Bassi, District Jaipur.
3. The Sub Divisional Officer, Bassi, District Jaipur
4. The Tehsildar, Bassi, District Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Tanveer Ahamad
For Respondent(s)	:	Mr. V.D.Gathala-AGC

JUSTICE ANOOP KUMAR DHAND

Order

18/04/2026

1. Counsel for the petitioner submits that on the fateful day when the matter was listed before this Court on 26.08.2025, he could not appear and make his submissions and accordingly, the order dated 26.08.2025 was passed by this court. Counsel submits that, in fact, no proper and exact measurement has been done by the respondent with the use of ETS Machine. Hence, under these circumstances, the matter is required to be decided on its merit.

2. Per contra, learned counsel for the respondents opposes the arguments raised by counsel for the petitioner and submit that the measurement was done by the respondent through ETS Machine

in presence of the petitioner and her signatures were obtained on the said report, hence the order dated 26.08.2025 passed by this Court is not liable to be recalled.

3. Heard and considered the submissions made at Bar and perused the material available on record.

4. The fact of measurement of the land is disputed by both rival sides and the order dated 26.08.2025 has been passed in absence of counsels for both sides, without going into this disputed question of fact. This Court is of the view that the matter is required to be decided on its merit.

5. Hence on this count alone, present writ misc. application stands allowed and the order dated 26.08.2025 passed by this Court is recalled and the S.B. Civil Writ Petition No. 7058/2023 is restored to its original number.

6. Office to proceed.

(ANOOP KUMAR DHAND),J