

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17284/2024

Shankar & Ors.

-----Petitioners/Plaintiffs

Versus

Smt. Nathi Devi W/o Late Shri Radhakishan

-----Respondent/Defendant(Appellant in Appeal)

Suresh & Ors.

-----Proforma Respondents/Defendants(Respondents in Appeal)

For Petitioner(s)	:	Mr. Amit Jindal
For Respondent(s)	:	Mr. V.D. Gathala, AGC Mr. Nishant Sharma Mr. Raj Kumar Garhwal

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

29/04/2026

Vide order dated 05.12.2024, this Court was pleased to issue notice to the Revenue Appellate Authority, Jaipur and to call for an affidavit as to why the appeal preferred after a delay of about three years against the order dated 09.07.2021 passed by SDO, District Chomu was entertained and even allowed without issuing notices to the respondents therein.

Despite, the lapse of more than a year, no such affidavit has been filed by the Revenue Appellate Authority, Jaipur, despite the notices being duly served upon it.

Learned counsel for the parties have also informed the Court that very recently the said Revenue Suit itself being Case No. 64/2021 has been dismissed by SDO, District Chomu and thus, learned counsel for the respondents pray that the present writ petition, which has been filed against the order passed by the

Revenue Appellate Authority dated 12.08.2024 does not survive any more.

While there cannot be any conflict with the fact that after the dismissal of the suit itself, the present writ petition filed against the proceedings arising out of the interim order will not survive, however, as a specific affidavit was called for by this Court and that too way back on 05.12.2024, the compliance of which has not been done till date, the said authority cannot be granted the benefit of dismissal of the suit so as to absolve itself from filing the said affidavit and ensuring compliance of the order passed by this Court.

Let the Registry issue an official communication to the Office of the Revenue Appellate Authority, Jaipur, again informing it about the order passed by this Court today as well as on 05.12.2024 so as to ensure that the requisite affidavit is positively filed on or before the next date.

Accordingly, list the matter on 18.05.2026.

Additionally, learned counsel for the petitioner is directed to serve a copy of the petition and so also the order dated 05.12.2024 in the Office of Mr. V.D. Gathala, learned AGC, within two days and Mr. V.D. Gathala, learned AGC will ensure that the same is duly communicated to the Revenue Appellate Authority, Jaipur so that the directions issued by this Court are duly complied with.

Name of Mr. V.D. Gathala, learned AGC, be shown in the cause list.

(ANUROOP SINGHI),J