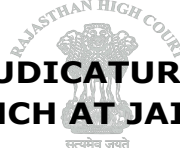




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Review Petition (Writ) No. 167/2024
in

S.B. Civil Writ Petition No.15259/2024

1. Bharatlal S/o Hansraj Gurjar, R/o Khirni Tehsil Malarnadungar District Sawai Madhopur.
2. Babulal S/o Hansraj Gurjar, R/o Khirni Tehsil Malarnadungar District Sawai Madhopur.
3. Harkesh S/o Hansraj Gurjar, R/o Khirni Tehsil Malarnadungar District Sawai Madhopur.

----Petitioners

Versus

1. Hariram S/o Badrilal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
2. Narayani W/o Heeralal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
3. Lallu S/o Gangadhar, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
4. Devilal S/o Kajod, (Deceased) Through His Legal Representatives-

- 4/1 Motiya W/o Devilal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
- 4/2 Harkesh S/o Devilal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
- 4/3 Kalu S/o Devilal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
- 4/4 Narsi S/o Devilal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
5. Ramniwas S/o Pannalal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
6. Ramswaroop S/o Badri, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
7. Giriraj S/o Ranglal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
8. Ramesh S/o Jansee, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
9. Prakash S/o Badri, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
10. Ramraj S/o Hariram, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
11. Kaluram S/o Hariram, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
12. Kamlesh S/o Hariram, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.



13. Ramkesh S/o Ramniwas, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
14. Mohan S/o Devya, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
15. Mohan S/o Badri, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
16. State Of Rajasthan, Through Tehsildar, Malarnadungar District Sawai Madhopur.
17. Mukesh S/o Prabhudayal Mahajan, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
18. Bhagwansahai S/o Prabhudayal Mahajan, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
19. Mohanlal S/o Hariballabh Mahajan, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
20. Mukesh S/o Rampal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
21. Ghanshyam S/o Jansee, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
22. Kailash S/o Ranglal, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
23. Surgyan S/o Ramniwas, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.
24. Prasad S/o Ramphul, R/o Maliyo Ke Dhani, Khirni Tehsil Malarnadungar, District Sawai Madhopur.

----Respondents

For Petitioner(s)	:	Mr. Yogesh Pujari Mr. Ayush Goyal
For Respondent(s)	:	Mr. Teeka Ram Meena

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

27/02/2026

1. The final order dated 26.09.2024, whereby S.B. Civil Writ Petition No.15259/2024 was dismissed on merits has been sought to be reviewed by writ petitioners, on the premise that since respondent had alternative land for way, hence, the way of 15 feet ordered to be carved out by the authority through the land of Khasra No.4343, 4368 & 4369 in exercise of jurisdiction under



Section 251-A of the Rajasthan Tenancy Act, 1955, stands erroneous, hence, be reviewed.

2. In support of contention, counsel for petitioners have relied upon the judgment of Division Bench of this Court at Principal Seat Jodhpur in case of **Rameshwar @ Ghasi Brahman Vs. Ram Swaroop : 2023 0 Supreme (Raj) 794.**

3. Having perused the order dated 26.09.2024, more particularly para Nos.7 & 9, this Court finds that the contention of writ petitioners of having an alternative way with respondent was dealt with and it was observed that the alternative way, as allegedly available, was not found satisfactory by the Board of Revenue, hence, in that view the plea of having alternative land for way to respondents was rejected. Thus, the ground on which review of the order dated 26.09.2024 has been prayed, was dealt with and rejected on merits. The judgment of Division Bench in case of **Rameshwar (supra)** does not render any support to the case of writ petitioners for reviewing the order dated 26.09.2024, passed on merits.

4. Accordingly, instant review petition is hereby dismissed.

5. All pending application(s), if any, stand(s) disposed of.

(SUDESH BANSAL),J

RONAK KUMAR JAIMAN/4