

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition (PIL) No. 17510/2025

Shubhkaran Singh S/o Mamchand

-----Petitioner

Versus

The State Of Rajasthan and Ors.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Ms. Shikha Sharma, AAAG Mr. Intjar Ali

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

Order

29/04/2026

The respondent No.5 is present in the Court through his counsel.

We have directed the respondents to remove the encroachments in *Khasra* No.86 (*Gair Mumkin Johad*), Village Shivdayalpura, Tehsil Bisau, District Jhunjhunu.

At the same time, learned counsel appearing for the respondent-encroachers submits that the petitioner too, is a land encroacher and he has also encroached on the government land. No one can be allowed to encroach/obstruct the government land or *Charagah* land or land which is meant for johad/lake/pond etc.

If the petitioner has also encroached the land, the State will take immediate steps to remove the encroachments.

We are also informed that notices under Section 91 of the Rajasthan Land Revenue Act, 1956 have also been issued.

At this stage, we reject the arguments raised by the counsel for the respondents, who is an encroacher, that the PIL should be dismissed because the person, who has approached the Court, himself is an encroacher.

We, although, would not treat the applicant, who has filed the present petition to be a *bona-fide* person, claiming public interest, but as we notice that the encroachments have been made, we deem it appropriate to pass order invoking our powers under Article 226 of the Constitution of India.

It is made clear that if within three weeks, encroachments are not removed by the concerned encroachers or if they make any obstruction in removing the encroachments, the State would be free to even take action of arrest of the concerned encroachers.

The concerned SDO and the Collector shall submit a report within three weeks from today.

For removing the encroachments, the State Authorities shall be free to take assistance of local security also.

List on 25.05.2026.

(SHUBHA MEHTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

SANJAY KUMAWAT/RAJAT/79