

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 17971/2022

Vijay Kumar Boyat S/o Raju Boyat

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

D.B. Civil Contempt Petition No. 378/2025

Vijay Kumar Boyat S/o Shri Raju Boyat

-----Petitioner

Versus

Vaibhav Galriya, Principal Secretary

-----Respondent

For Petitioner(s)	:	Mr. Prashant Dubey Ms. Yaadvi Dhawan on behalf of Mr. S.S. Hora
For Respondent(s)	:	Mr. Manoj Sharma, AAG with Mr. Vishal Kumar Mr. Amit Kuri with Mr. Dharma Ram Mr. Navdeep Singh Mr. Anand Sharma Ms. Shikha Sharma, AAAG Mr. Aditya Matolia Mr. Samee Khan, AAAG

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

HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

28/03/2026

Learned counsel appearing for the Jaipur Development Authority (JDA) seeks further six weeks time to complete the aspects regarding the encroachments made at the road, which reaches upto *Sirsi* and is commonly known as *Sirsi* Road. He submits that an affidavit has been filed in compliance of the order passed by this Court on 05.03.2026.

Registry is directed to place the same on record.

It is also stated that notices have to be issued under Section 72 of the Jaipur Development Authority Act, 1982 (for short 'the Act of 1982') to the concerned persons, who shall be given an opportunity of hearing, whereafter, if there are still encroachments found, the same shall be removed.

We expect the JDA to act expeditiously in these aspects and also at the same time, it is directed that the encroachment wing of the JDA shall take steps to find encroachments been made on other State Highways and National Highways. The roads leading to the main city of Jaipur in and around shall also be cleaned from all encroachments.

Effective steps be taken by the concerned wing and the same shall be reported to this Court on 13.05.2026.

It is made clear that in cases, where notices have been issued by the JDA relating to the lands and area falling in the master plan for removing encroachments under Section 72 of the Act of 1982, no Civil Court or JDA Tribunal shall intervene, as the issue has been taken up by this Court in the present PIL. We say so in view of the judgments passed by the Hon'ble Supreme Court in the cases of **Rajendra Kumar Barjatya Vs. U.P. Avas Evam Vikas Parishad (2024) INSC 990, Esha Ekta Apartments Cooperative Housing Society Ltd. & Ors. Vs. Municipal Corporation of Mumbai & Ors., AIR 2013 SCC 1861 and Gulab Khotari Vs. State of Rajasthan & Ors., 2017 (1) WLC 562.**

List on 13.05.2026.

(SHUBHA MEHTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ