

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 18123/2025
CNR: RJHC021024872025 | URN: CW / 41048U / 2025

Ramjug Agarwal
-----Petitioner
Versus
State of Rajasthan & Anr.
-----Respondents

For Petitioner(s)	:	Mr. M.S. Raghav with Mr. Mananjay Singh Rathore and Mr. Vishwas Saini
For Respondent(s)	:	Mr. Manoj Choudhary with Mr. Y5A advendra Patel and Mr. Ritu Mishra for Mr. G.S. Gill, AAG Mr. Aman Pareek

HON'BLE MR. JUSTICE ANAND SHARMA

Order

12/08/2026

Heard on application (IA No.1/2026) filed by the applicant- Prem Lata Mehta under Order 1 Rule 10 read with Section 151 CPC seeking permission to get herself impleaded as party respondent in the writ petition.

Learned counsel for the applicant submits that the petitioner has filed this writ petition assailing orders dated 02.07.2025 and 14.11.2025, whereby *patta* earlier issued in favour of the petitioner has been cancelled. Learned counsel submits that impugned action has since been taken by the authorities on complaint made by the applicant, therefore, applicant is a necessary and proper party in the instant writ petition, but the petitioner has not impleaded her as party respondent.

Application has been seriously opposed by learned counsel for the petitioner stating therein that no relief whatsoever has been claimed by the petitioner in the instant writ petition against the applicant.

Heard learned counsel for the parties and perused the material available on record.

In the relief clause of the writ petition, the petitioner has admittedly assailed order dated 02.07.2025 passed by the Commissioner, Municipal Council, Kishangarh, District Ajmer (Raj.), and admittedly, no relief whatsoever has been claimed against any private person by the petitioner. So far as contention of the application that the impugned action has been taken by the authorities on complaint made by the applicant, it is suffice to say that upon complaint, if any, made by the applicant before Government authorities, after taking cognizance thereof action has already been taken by the respondent-Government and impugned order has been passed. Hence, it is the Government duty to defend the same, and merely on account of the fact that the applicant was the complainant in the matter, she has got no right to get herself impleaded as party respondent.

Learned counsel for the applicant has relied upon the Judgment of Hon'ble Supreme Court in the case of **M/s Chopra Hotels Private Limited Vs. Harbinder Singh Sekhon & Ors.** arising out of **SLP (C) Nos.9321-9322 of 2026** (decided on **08.04.2026**) and in the case of **State of Andhra Pradesh & Ors. Vs. Dr. Rao V.B.J. Chelikani & Ors.,** reported in **2024 Supreme (SC) 1083** so as to show her right of impleadment in a writ petition.

Bare perusal of judgment in the case of **State of Andhra Pradesh (supra)**, it becomes clear that in that case Hon'ble Supreme Court was considering a public interest litigation and therefore, an observation has been made that any public spirited person is a necessary party in respect of Government land. The judgments relied upon by the applicant are not applicable at all; hence, in view of above, the application filed by the applicant-Prem Lata Mehta is hereby dismissed.

Learned counsel for the respondent-Government has submitted that petitioner while persuading this Co-ordinate Bench to pass interim order dated 24.11.2025 has suppressed the fact that appeal filed by the petitioner has already been decided by the Director, Local Bodies vide order dated 25.08.2025.

Learned counsel appearing for the respondent-Government prays for time to file reply as well as application for stay vacation.

Time prayed for is granted.

Let this matter be listed on 03.09.2026.

Till then, interim order, if any, shall continue.

(ANAND SHARMA),J