

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

D.B. Civil Writ Petition No. 9497/2007

P N Maindola

-----Petitioner

Versus

State Of Raj and Ors

-----Respondent

Connected With

1. D.B. Civil Writ Petition No. 809/2008
2. D.B. Civil Writ Petition No. 15085/2011
3. D.B. Criminal Miscellaneous (petition) No. 3737/2012
4. D.B. Civil Writ Petition No. 15520/2012
5. D.B. Civil Writ Petition No. 16228/2012
6. D.B. Civil Writ Petition No. 16229/2012
7. D.B. Civil Writ Petition No. 16230/2012
8. D.B. Civil Writ Petition No. 20356/2012
9. D.B. Civil Contempt Petition No. 699/2013
10. D.B. Civil Writ Petition No. 12202/2013
11. D.B. Civil Writ Petition No. 2799/2014
12. D.B. Civil Writ Petition No. 4936/2015
13. D.B. Special Appeal Writ No. 1276/2017
14. D.B. Special Appeal Writ No. 1860/2017
15. D.B. Special Appeal Writ No. 1861/2017
16. D.B. Special Appeal Writ No. 1862/2017
17. D.B. Special Appeal Writ No. 1864/2017
18. D.B. Special Appeal Writ No. 1865/2017
19. D.B. Special Appeal Writ No. 1866/2017
20. D.B. Special Appeal Writ No. 1867/2017
21. D.B. Special Appeal Writ No. 1868/2017
22. D.B. Civil Writ Petition No. 9048/2017
23. D.B. Civil Contempt Petition No. 356/2018
24. D.B. Civil Contempt Petition No. 923/2018
25. D.B. Civil Contempt Petition No. 1014/2018
26. D.B. Special Appeal Writ No. 1058/2018
27. D.B. Civil Contempt Petition No. 1689/2018
28. D.B. Civil Contempt Petition No. 1822/2018
29. D.B. Civil Writ Petition No. 25024/2018

For Petitioner(s) : Mr. S.D. Khaspuria Advocate,
Mr. Rajendra Soni Advocate,
Ms. Neeraja Khanna Advocate,
Mr. Vimal Choudhary Advocate
Mr. Gopal Singh Bareth Advocate,
Mr. Madhusudan Sharma Advocate,
Mr. G.P. Sharma Advocate,
Mr. Sanjay Joshi Advocate,
Mr. Suveer Gaur Advocate
All Advocates are through Video Conferencing.

For Respondent(s) : Mr. M.S. Singhvi, Advocate General
with Mr. Sheetanshu Sharma
Advocate,
Mr. Anil Mehta, Additional Advocate
General
Ms. Sheetal Mirdha, Additional
Advocate General,
Mr. Virendra Lodha, Senior Advocate
with Mr. Rachit Sharma Advocate,
Mr. A.K. Bhandari, Senior Advocate
with Mr. Atul Bhardwaj Advocate,
Ms. Anita Agarwal Advocate,
Mr. Gaurav Sharma Advocate,
Mr. Ashish Sharma Advocate,
Mr. Shailesh Prakash Sharma
Advocate,
Mr. Daksh Pareek Advocate,
Mr. Ravi Chirania Advocate,
Mr. Ajatshatru Mina Advocate,
Mr. D.K. Dixit Advocate,
Mr. Amit Kuri Advocate,
All are through Video Conferencing.

HON'BLE MR. JUSTICE MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE BIRENDRA KUMAR

Order

27/01/2022

As many as 20 interim applications are pending which include application for taking documents on record, application for issuance of direction, application for exemption from personal appearance, application for early hearing, application for

clarification of the order dated 05.04.2019 and also applications for impleadment as party respondent.

This is a PIL.

Various applications which have been filed for taking documents on record are allowed.

Prayer for issuance of various directions shall be considered at the time of final hearing and cannot be considered at this stage.

Application for exemption from personal appearance has attained its natural demise, therefore, the same is also closed.

Application for clarification of order dated 05.04.2019 is also disposed off that all the issues shall come up for hearing at the final stage and we are not inclined to add or modify anything at this stage.

Application I.A. No.72652/18 for impleadment as party respondents is made on the ground that earlier on 11.12.2017 an interim order was passed by this Court clearly stating that the recorded owner shall not be disturbed, but in violation of this direction, the proposed applicants who are recorded owner are being disturbed and land has been earmarked and constructions are going on.

The issue raised in this petition is not whether the applicants are or are not recorded owner. The interim order was only to protect those who are recorded owner from any action in purported compliance of the directions issued in this PIL. If the applicants have grievance that they have been wrongly treated as encroacher and not recorded owner, their remedy lies in filing separate petition. It has to be made clear that the orders and proceedings in this case shall not come in the way of the

Application is accordingly dismissed with the observation as aforesaid.

List these cases for final hearing on 10.03.2022.

(MANINDRA MOHAN SHRIVASTAVA),J

Sanjay Kumawat-47-76



सत्यमेव जयते