

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 19038/2025

Suresh Chand Gupta S/o Amarlal Gupta

-----Petitioner

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Sunil Kumar Jain

For Respondent(s) :

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

08/12/2025

The present writ petition has been filed being aggrieved by the order dated 27.11.2025 passed by the Panchayat Samiti, Chhabra, District Bara, vide which the petitioner has been granted three days' time to evict his shop No.6 situated in front of Panchayat Samiti Office, Chhabra, on the ground that an amount of Rs. 22,82,816/- is outstanding towards rent and the same has not been paid by the petitioner-tenant.

Learned counsel for the petitioner submits that the said order, to which a calculation has also been annexed, is not only beyond jurisdiction of the Development Officer but the calculation is also contrary to the provisions of Rule 164 (4) of the Rajasthan Panchayati Raj Rules, 1996 (for short "the Rules of 1996"). Counsel submits that vide notice dated 12.05.2025, the outstanding amount as per respondents was Rs.12,49,790/-, surprisingly the same has escalated to an amount of Rs.24,03,251/- within a period of six months, which in itself demonstrates arbitrary act of the respondents.

Learned counsel for the petitioner further submits that the impugned order dated 27.11.2025 could not have been issued by the Development Officer, Panchayat Samiti, Chhabra as according to Rule 164(4) of the Rules of 1996, it is only the Chief Executive Officer who is competent to issue any such order.

Learned counsel also submits that the respondents have issued the said communication in discrimination with various other similarly situated tenants, as a suitable less amount towards rent is being accepted from them, as was initially determined and negotiated vide order dated 09.11.1995.

In view of the above, issue notice of the writ petition as well as stay application to the respondents. Notices be given '*dasti*', to learned counsel for the petitioner.

In the meanwhile, the effect and operation of the order dated 27.11.2025 shall remain stayed.

List the matter on 07.01.2026.

(ANUROOP SINGHI),J