

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE / INHERENT JURISDICTION**

**CIVIL APPEAL NO(S). _____ OF 2025
[@ SLP (C) NO. 2747 OF 2024]**

ADARAS VIDYA MANDIR SOCIETY **Appellant(s)**

VERSUS

THE STATE OF RAJASTHAN & ORS. **Respondent(s)**

WITH

CONTEMPT PETITION (C) No. 509/2024

IN

SLP(C) No. 2747/2024

O R D E R

**CIVIL APPEAL NO(S). _____ OF 2025
[@ SLP (C) NO. 2747 OF 2024]**

1. Leave granted.
2. Pursuant to our order dated 02.04.2025, an affidavit of undertaking is filed by Mr. Sudhir Mutha, Secretary of the appellant-Society. The affidavit is to the following effect:

"1. That I am the secretary of the Petitioner society in the aforesaid matter and being conversant with the facts of the present case. I am competent to swear and affirm the present affidavit.

2. That the present Special Leave Petition was filed by the petitioner aggrieved by the final order dated 4.10.2023 passed by the Hon'ble High Court of Judicature for Rajasthan at Jodhpur in D. B. Special Appeal Writ No. 765 of 2023. It is submitted that the said petition came up for consideration before this Hon'ble Court on 2.4.2024 wherein it was submitted by the Ld. Counsel for the respondent No. 1 to 3 State of Rajasthan that if the petitioner is

willing to file an undertaking that the petitioner would not violate any of the conditions of the Perpetual Lease/grant dated 7.10.1943 in future the state would not proceed with the resumption of land which has been ordered by the Ld. Collector which is the subject matter of the dispute in the present case.

3. That it was readily agreed by the Ld. Sr. counsel appearing for the petitioner and it was directed that the petitioner should file an appropriate affidavit in that regard.

4. That in view of the above, the present affidavit is being filed by the petitioner undertaking as under:-

(i) That the petitioner is and would also continue to abide by all the conditions contained in the perpetual lease/grant dated 7.10.1943 in future and would not violate any of its conditions as specified therein.

(ii) That the development of the land granted under the perpetual lease would be carried out after obtaining permission under the applicable Acts, Rules, Byelaws of the State Government and/or its authorities.

(iii) That in case the petitioner violates any of the conditions of the perpetual lease/grant dated 7.10.1943, the Respondent State of Rajasthan can and would be free to initiate proceedings against the petitioner for any such violation.

5. That in light of the aforesaid, it is respectfully submitted that the present Special Leave Petition may be disposed off while setting aside the impugned order of the ld. Collector dated 15.12.1999 and the orders of the High Court which have affirmed the said order while recording the undertaking of the petitioner as contained in para 4 of the present affidavit."

3. Mr. Shiv Mangal Sharma, learned Additional Advocate General appearing on behalf of the State of Rajasthan submits that the undertaking in the affidavit is acceptable for the State and would

also submit that the present appeal can be disposed of in terms of the affidavit of undertaking.

4. In view of the statement made by the learned AAG and in modification of the order passed by the High Court, the appeal stands disposed of directing the appellant to abide by the undertaking in the affidavit.

5. Pending application(s), if any, shall stand disposed of.

Contempt Petition (C) No. 509/2024

6. In view of the order passed in the Civil Appeal @ SLP (C) No. 2747 of 2024, the present Contempt Petition stands closed.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[JOYMALYA BAGCHI]

NEW DELHI;
APRIL 28, 2025

ITEM NO.52

COURT NO.11

SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 2747/2024

[Arising out of impugned final judgment and order dated 04-10-2023 in DBSAW No. 765/2023 passed by the High Court of Judicature for Rajasthan at Jodhpur]

ADARAS VIDYA MANDIR SOCIETY

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ORS.

Respondent(s)

IA No. 111132/2024 - CLARIFICATION/DIRECTION

IA No. 111133/2024 - EXEMPTION FROM FILING O.T.

IA No. 25947/2024 - EXEMPTION FROM FILING O.T.

IA No. 25948/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

WITH

CONMT.PET.(C) No. 509/2024 in SLP(C) No. 2747/2024 (XV)

IA No. 107885/2024 - EXEMPTION FROM FILING O.T.

Date : 28-04-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Ms. Christi Jain, AOR
Mr. Puneet Jain, Sr. Adv.
Mr. Aslam Naushad, Adv.
Mr. Mann Arora, Adv.
Ms. Akriti Sharma, Adv.
Mr. Harsh Jain, Adv.
Mr. Om Sudhir Vidyarthi, Adv.
Mr. Yogit Kamat, Adv.

For Respondent(s) : Mr. Milind Kumar, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Ms. Saubhagya Sundriyal, Adv.
Ms. Nidhi Jaswal, AOR

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No(S). _____ Of 2025
[@ SLP (C) NO. 2747 OF 2024]

1. Leave granted.
2. The Civil Appeal is disposed in terms of the Signed Order.
3. Pending application(s), if any, shall stand disposed of.

Contempt Petition (C) No. 509/2024

4. The Contempt Petition stands closed in terms of the Signed Order.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
COURT MASTER (NSH)

(Signed Order is placed on the file)