

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 8077/2019

Gordhanram S/o Late Shri Eesararam Birda, Aged About 80
Years, Resident Of Village- Sunari, Tehsil- Ladnu, District Nagaur.

-----Petitioner

Versus

1. The Board Of Revenue For Rajasthan, At Ajmer, Through Its Registrar.
2. Surtaram S/o Shri Mohanram Meghwanshi., Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
3. Moolaram S/o Shri Peetharam Jat, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
4. Kishnaram S/o Shri Sukharam Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
5. Smt. Kiran Kanwar W/o Shri Madansingh, Resident Of Village- Sunari, Tehsil-Ladnu, District- Nagaur.
6. Jaisingh S/o Shri Madansingh, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
7. Manoharsingh S/o Shri Madansingh, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
8. Maalsingh S/o Shri Mohansingh, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
9. Pawansingh S/o Shri Mohansingh, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
10. Panaram S/o Shri Peetharam Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
11. Smt. Nanidavi W/o Shri Moolaram Jat,, Resident Of Village- Sunari, Tehsil-Ladnu, District- Nagaur.
12. Mohanram S/o Shri Dungarram Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
13. Hemaram S/o Shri Dungarram Jat,, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
14. Amritaram S/o Shri Dungraram Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
15. Sohanram S/o Shri Dungarram Jat,, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
16. Bhagirathram S/o Shri Dungarram Jat,, Resident Of



Village-Sunari, Tehsil- Ladnu, District- Nagaur.

17. Bhinwaram S/o Shri Dungarram Jat,, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
18. Ramkaran S/o Shri Sukharam Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
19. Birdaram S/o Shri Sukharam Jat,, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
20. Tilok Ram S/o Shri Sukharam Jat, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
21. Harjiram S/o Shri Girdhariram Jat, Resident Of Village-Sunari, Tehsil- Ladnu, District- Nagaur.
22. Bheruram S/o Shri Girdhariram Jat,, Resident Of Village-Sunari, Tehsil-Ladnu, District- Nagaur.
23. The District Collector, District Nagaur.
24. The Sub-Divisional Officer-Ladnu, District Nagaur.
25. The Tehsildar, Tehsil- Ladnu, District Nagaur.

----Respondents

For Petitioner(s) : Mr. Vineet Dave
For Respondent(s) : Mr. R. S. Choudhary

JUSTICE DINESH MEHTA

Judgment

04/10/2019

I. A. No.03/2019 :

The present application has been filed by the respondents interalia conceding that the present writ petition filed by the petitioner be allowed.

For the reasons stated, the application is disposed of as prayed.

Civil Writ Petition No.8077/2019 :

The present writ petition has been filed for the following reliefs :

“(i) by an appropriate writ, order or direction, the impugned order dated 01.05.2019 (Annex.12) passed in Review Application No.1263/2019 be declared illegal and be quashed and the Review Application No.1263/2019 filed by the petitioner may kindly be ordered to be allowed;

(ii) by an appropriate writ, order or direction, the impugned judgment dated 15.02.2019 (Annex.10) passed in Revision Petition No.6071/2018 be declared illegal and be quashed and the Revision Petition No.6071/2018 filed by the petitioner may kindly be ordered to be allowed;

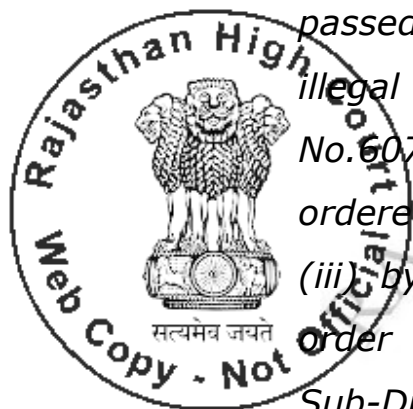
(iii) by an appropriate writ, order or direction, the order dated 26.07.2018 (Annex.8) passed by the Sub-Divisional Officer, Ladnu (Nagaur) in Case No.09/2017 (Surataram & Ors Vs. Gordhanram & Ors) may kindly be declared illegal and be quashed;

(iv) by an appropriate writ, order or direction, the application/objections filed by the petitioner against the site-report dated 18.01.2018 may kindly be allowed and the official respondents may kindly be directed to conduct a re-inspection of the concerned site-area and prepare site-report in presence of all the parties including the petitioner which may be ordered to be placed before the learned Sub-Divisional Officer, Ladnu (Nagaur) in Case No.09/2017;

(v) any other appropriate order or direction, which this Hon'ble Court considers just and proper in the facts and circumstances of this case, may kindly be passed in favour of the petitioner.

(vi) costs of the writ petition may kindly be awarded to the petitioner.”

Mr. Choudhary, learned counsel appearing for the respondents submits that impugned order dated 26.07.2018 so



also the orders confirming such order, passed by the Board of Revenue be set aside and the SDO, Ladnu, District Nagaur be directed to reinspect and the prayer No.4, as prayed, be granted.

In view of the aforesaid consent, the writ petition is allowed. Impugned order dated 01.05.2019 (Annex.12), order dated 15.02.2019 (Annex.10); and the order dated 26.07.2018 (Annex.8) are quashed and set aside.

The stay application is also disposed of.

The SDO, Ladnu, District Nagaur is directed to conduct fresh inspection of the site and thereafter decide the case in accordance with law as expeditiously as possible, preferably within a period of three months from placing certified copy of this order.

Needless to observe that while conducting site inspection, the SDO concerned or his nominee shall inform all concerned.

(DINESH MEHTA),J

65-A.Arora/-

सत्यमेव जयते