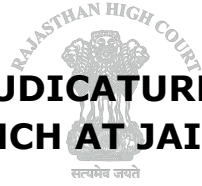




[2025:RJ-JP:21549]

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



S.B. Civil Writ Petition No. 11939/2022

Gyanchand Soni S/o Shri Mahadev Prasad Soni, aged about 65 Years, Resident of 9/b, Adarsh Nagar, Kotputli, Jaipur.

----Petitioner

Versus

1. State of Rajasthan, Through Principal Secretary, Department of Local Self Government, Secretariat, Jaipur.
2. State of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director and Joint Secretary, Department of Local Self Government, Government of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council Kotputli, Kotputli, District Jaipur.
6. Bahadur Singh Awana, Resident of Ward No. 24, Mohalla Badawas, Kotputli, Jaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 11943/2022

Radha Kishan Punjabi S/o Shri Lekhraj Punjabi, aged about 65 Years, Resident of Mohalla Basdi, Ward No. 20, Kotputli, Jaipur.

----Petitioner

Versus

1. State of Rajasthan, Through Principal Secretary, Department of Local Self Government, Secretariat, Jaipur.
2. State of Rajasthan, Through Principal Secretary, Urban Development and Housing Department, Secretariat, Jaipur.
3. Director and Joint Secretary, Department of Local Self Government, Government of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council -Kotputli, Kotputli,





District Jaipur.

6. Dinesh Kumar Kaushik, Resident of Mohalla Badabas, Ward No. 24, Kotputli.

-----Respondents

S.B. Civil Writ Petition No. 11944/2022

Kishorilal Sharma S/o Shri Manna Lal Sharma, aged about 72 Years, Resident of Mohalla Basdi, Ward No. 20, Kotputli, Jaipur.

-----Petitioner

Versus

1. State of Rajasthan, Through Principal Secretary, Department of Local Self Government, Secretariat, Jaipur.
2. State of Rajasthan, Through Principal Secretary, Urban Development and Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department of Local Self Government, Government of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.
6. Deepak Kaushik, Resident of Mohalla Badabas, Ward No. 24, Kotputli.

-----Respondents

S.B. Civil Writ Petition No. 11947/2022

1. Krishna Devi W/o Shri Ramesh Chand Bansal, Aged About 60 Years, Resident Of Mohalla Buchaheda, Kotputli, Jaipur.
2. Sunita Bansal W/o Shri Rakesh Bansal, Aged About 45 Years, Resident Of Mohalla Buchaheda, Kotputli, Jaipur.

-----Petitioners

Versus

1. State of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director and Joint Secretary, Department of Local Self



Government, Government Of Rajasthan, Jaipur.

4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 11963/2022

Krishna Devi W/o Late Shri Kishan Lal, Aged About 65 Years,
Resident Of Mohalla Basdi, Teshil Kotputli, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

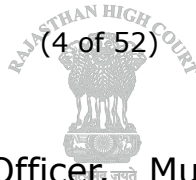
S.B. Civil Writ Petition No. 12182/2022

Pushkar Mal Choudhary Son Of Shri Banwari Lal Mahajan, Aged
About 88 Years, Resident Of Ward No. 19, Near Old Bus Stand,
Kotputli, District Jaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)



4. Chief Executive Officer, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

-----Respondents

S.B. Civil Writ Petition No. 12381/2022

Prem Kumar Gupta Son Of Shri Laxmi Narain Choudhary, Aged About 69 Years, Resident Of Ward No. 8, Near Ram Bhawan, Mohalla Buchahera, Kotputli, District Jaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)
4. Chief Executive Officer, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

-----Respondents

S.B. Civil Writ Petition No. 12740/2022

Subhash Chand Bansal S/o Late Shri Pyarelal, Aged About 62 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.



4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13286/2022

Kishan Sharan Bansal S/o Late Shri Hanuman Sharan Bansal, Aged About 70 Years, Resident Of Opposite Of Old Nagar Palika, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13316/2022

Jagdish Prasad Gurjar S/o Shri Hari Narayan Gurjar, Aged About 60 Years, Resident Of Tryblue Fashion Hub, In Front Of Sardar School, Hanuman Sharan Marg, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Board, Kotputli, Through Chief Municipal Officer,



Kotputli, District Jaipur.

5. Executive Officer, Municipal Board - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13323/2022

Hari Prasad Sharma S/o Lt. Shri Badri Prasad Sharma, Aged About 65 Years, Resident Of Sarund, Tehsil Kotputli, District Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.
6. Mrs. Pushpa Saini, Chairman, Municipal Council, Near Bus Stand, National Highway, Kotputli - 303108.
7. Mr. Fateh Singh Meena, Commissioner, Municipal Council, Near Bus Stand, National Highway, Kotputli - 303108.

-----Respondents

S.B. Civil Writ Petition No. 13328/2022

Omprakash Mittal S/o Late Shri Umrao Prasad Bansal, Aged About 74 Years, Mohalla Basdi, Ward No. 9, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.



3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Fateh Singh Meena, Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.
6. Jitendra Chaudhary S/o Shri Mohanlal Chaudhary, Mohalla Bachdi, Ward No. 9, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 15779/2022

1. Prem Lata Devi Wife Of Late Shri Phool Chand, Aged About 85 Years, Resident Of Azad Chowk, Kotputli, District Jaipur (Raj.)
2. Urmila Devi Wife Of Shri Rajendra Kumar, Aged About 53 Years, Resident Of Azad Chowk, Kotputli, District Jaipur (Raj.)

----Petitioners

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)
4. Commissioner, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

----Respondents

S.B. Civil Writ Petition No. 18264/2022

Foolchand Saini S/o Shri Narayan Saini, Aged About 62 Years, R/o Nehru Bazar, Kotputli, District Jaipur.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary,





Department Of Local Self Government, Secretariat, Jaipur.

2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 18687/2022

1. Suman Gupta W/o Shri Suniti Raman Gupta, Aged About 62 Years, Resident Of Mohalla Buchaheda, Kotputli, District Jaipur.
2. Aviral Gupta S/o Shri Suniti Raman Gupta, Aged About 36 Years, Resident Of Mohalla Buchaheda, Kotputli, District Jaipur.
3. Preeti Gupta W/o Shri Aviral Gupta, Aged About 35 Years, Resident Of Mohalla Buchaheda, Kotputli, District Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 18688/2022

Yogesh Bihari Gupta S/o Shri Puran Chand Gupta, Aged About 70 Years, Resident Of Mohalla Buchaheda, Kotputli, District Jaipur.



[2025:RJ-JP:21549]



[CW-11939/2022]

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 19078/2022

Pradeep Bansal S/o Late Shri Prithvi Raj Aggrawal, Aged About 62 Years, Resident Of Mohalla Boochaheda, Behind Nagar Palika Park, Kotputli, District Jaipur Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 19130/2022

1. Navratan Devi W/o Shri Maithlisharan Bansal, Aged About 70 Years, R/o Ward No. 19, Mohalla Buchaheda, Kotputli, District Jaipur.
2. Maithlisharan Bansal S/o Shri Jagdish Sharan, Aged About





75 Years, R/o Ward No. 19, Mohalla Buchaheda, Kotputli,
District Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 19374/2022

Jagdish Prasad Saini S/o Late Sh. Sadhuraam Saini, Aged About 60 Years, R/o Ward No. 16, Mohalla Buchahera, , Sardar Senior Secondary School Ke Samne, Kotputali, Buchahera (Rural), Kotputali, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur Rajasthan.
2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur, Rajasthan.
3. Nagarpalika Mandal Kotputali, Jaipur, Through Its Chairman.
4. Executive Officer, Municipal Board, Kotputali, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 204/2023

Shiv Kumar Gupta S/o Shri Ramavtar Gupta, Aged About 60 Years, Having Its Resident Of Near Avadh Bihari Mandir, Mohalla Buchaheda, Kotputli, District Jaipur-303108.



[2025:RJ-JP:21549]



[CW-11939/2022]

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 4021/2023

Arvind Kumar Bhardwaj Adopted Son Smt. Sundari Wife Of Pt. Madhav Lal Ji, Aged About 72 Years, R/o Mohalla Basdi, Kasba Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council- Kotputli, Kotputli District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 11946/2022

Smt. Madhu Bansal W/o Shri Santosh Kumar Bansal, Aged About 57 Years, Resident Of Ward No. 8, Mohalla Buchaheda, Kotputli, Jaipur

-----Petitioner



Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 11952/2022

1. Tarun Kumar Gupta S/o Shri Shadilal Gupta, Aged About 50 Years, Resident Of Ward No. 11, New Colony, Hiramoti Cinema, Kotputli
2. Arun Kumar Gupta S/o Shri Shadilal Gupta, Aged About 48 Years, Resident Of Ward No. 11, New Colony, Hiramoti Cinema, Kotputli

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 11958/2022

Inderjeet Luthra S/o Shri Balkishan Luthra, Aged About 55 Years, Resident Of Shakti Vihar, Kotputli, Jaipur.



----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

----Respondents

S.B. Civil Writ Petition No. 11962/2022

1. Jitendra Kumar Bansal S/o Lt. Shri Kishanlal Chaudhary, Aged About 47 Years, Resident Of Mohalla Buchheda, Kotputli, District Jaipur.
2. Nitesh Gupta S/o Lt. Shri Kishanlal Chaudhary, Aged About 45 Years, Resident Of Mohalla Buchheda, Kotputli, District Jaipur.
3. Umesh Kumar Gupta S/o Lt. Shri Kishanlal Chaudhary, Aged About 42 Years, Resident Of Mohalla Buchheda, Kotputli, District Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.





----Respondents

S.B. Civil Writ Petition No. 12046/2022

1. Nitin Bhardwaj S/o Shri Ved Prakash Bhardwaj, Aged About 39 Years, Resident Of Basadi Colony, Ward No. 12, Kotputli, District Jaipur.
2. Aditya Bhardwaj S/o Shri Ved Prakash Bhardwaj, Aged About 30 Years, Basadi Colony, Resident Of Ward No. 12, Kotputli, District Jaipur.
3. Dev Anand S/o Shri Mohan Lal, Aged About 50 Years, Resident Of Ward No. 5, Laxmi Nagar, Kotputli, District Jaipur.
4. Ramsingh Saini S/o Shri Sohan Lal Saini, Aged About 45 Years, Resident Of Village Daduka, Tehsil Kotputli, District Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary Department Of Local Self Government, Secretariat, Jaipur
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat Jaipur
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan Jaipur
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council, Kotputli, Kotputli, District Jaipur

----Respondents

S.B. Civil Writ Petition No. 12067/2022

1. Mukesh Kumar Gupta Son Of Late Shri Kishan Lal Gupta, Aged About 47 Years, Resident Of Mohalla Basadi, Tehsil Kotputli, District Jaipur.
2. Anand Gupta Son Of Late Shri Kishan Lal Gupta, Aged About 44 Years, Resident Of Mohalla Basadi, Tehsil Kotputli, District Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Urban



Development And Housing Department, Government Secretariat, Jaipur.

2. Department Of Local Self Government, Government Of Rajasthan, Through Its Principal Secretary, Government Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council Kotputli, Through Its Commissioner, Kotputli, Jaipur.
5. Executive Officer, Municipal Council, Kotputli, Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12120/2022

Ram Sharan S/o Shri Sohan, R/o Putli, Tehsil Kotputli, District Jaipur Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary, Department Of Local Self Government, Govt. Of Rajasthan, Govt. Secretariat, Jaipur.
2. State Of Rajasthan Through Its Principal Secretary, Urban Development And Housing Department, Government Govt. Of Rajasthan, Govt. Secretariat, Jaipur.
3. Nagar Palika Mandal Kotputli Jaipur, Through Its Executive Officer.
4. Nagar Palika Mandal Kotputli Jaipur, Through Its Chief Municipal Officer.

-----Respondents

S.B. Civil Writ Petition No. 12121/2022

1. Mukh Ram S/o Shri Laxman Gurjar, R/o Pathredi, Tehsil Kotputli District Jaipur Rajasthan
2. Ramniwas S/o Shri Jaidayal Gurjar, R/o Pathredi, Tehsil Kotputli District Jaipur Rajasthan
3. Sawai Singh S/o Shri Jaidayal Gurjar, R/o Pathredi, Tehsil Kotputli District Jaipur Rajasthan

-----Petitioners

Versus





1. State Of Rajasthan, Through Its Principal Secretary Department Of Local Self Government Govt. Of Rajasthan, Govt. Secretariat, Jaipur.
2. State Of Rajasthan, Through Its Principal Secretary Urban Development And Housing Department, Government Govt. Of Rajasthan, Govt. Secretariat, Jaipur
3. Nagar Palika Mandal, Kotputli Jaipur Through Its Executive Officer.
4. Nagar Palika Mandal, Kotputli Jaipur Through Its Chief Municipal Officer.

-----Respondents

S.B. Civil Writ Petition No. 12158/2022

Kamla Devi W/o Shri Jagdish Prasad Saini, Aged About 59 Years,
Resident Of Dhani Kayathwali, Tehsil Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12159/2022

Vishnu Soni S/o Shri Masudi Lal Soni, Aged About 39 Years,
Resident Of Ward No. 24, Chota Bazar, Mohalla Buchaheda,
Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban





Development And Housing Department, Secretariat,
Jaipur.

3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12163/2022

Prakash Chaturvedi S/o Shri Kailash Chand Chaturvedi, Aged About 43 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12166/2022

Ratni Devi W/o Shri Kabul Chand Yadav, Aged About 48 Years, Resident Of Kansli, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.





3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12171/2022

Arvind Kumar S/o Shri Kajod Mal, Aged About 38 Years, Resident Of Ward No. 8, Karana, Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12296/2022

Sandeep Kumar Soni S/o Late Shri Ramesh Soni, Resident Of Mohalla Buchaheda, Tehsil Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.





4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 12314/2022

1. Shri Ram Sabha Samiti, Ward No. 18, Kotputli, District Jaipur (Raj.) Through Its President, Ramesh Chand Bansal Son Of Shri Jagannath Prasad Choudhary, Aged About 63 Years, Resident Of Ward No. 19, Mohalla Buchahera, Kotputli, District Jaipur (Raj.)
2. Anil Sharan Bansal Son Of Shri Mamraj Sharan Bansal, Aged About 51 Years, Resident Of Ward No. 19, Mohalla Buchahera, Kotputli, District Jaipur (Raj.) (Secretary Of Shri Ram Sabha Samiti, Ward No. 18, Kotputli, District Jaipur).

-----Petitioners

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)
4. Chief Executive Officer, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

-----Respondents

S.B. Civil Writ Petition No. 12651/2022

1. Ashok Kumar S/o Shri Bansidhar, Resident Of Opposite Govt Sardar Senior Secondary School, Ward No.16, Kotputli, District, Jaipur (Raj.)
2. Smt Kamla Devi W/o Shri Sadhuram, Resident Of Opposite Govt Sardar Senior Secondary School, Ward No.16, Kotputli, District, Jaipur (Raj.)



3. Ramswaroop Saini S/o Late Shri Mahadev, Resident Of Opposite Govt Sardar Senior Secondary School, Ward No.16, Kotputli, District, Jaipur (Raj.)

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariate Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariate Jaipur
3. Director And Joint Director, Department Of Local Self-Government, Government Of Rajasthan Jaipur.
4. Chief Town Planer, Rajasthan, At Jaipur
5. Municipal Council, Kotputli, Through Commissioner
6. Leela Ram, S/o Shri Late Shri Nanga
7. Radheshyam, S/o Shri Kailash Chand
8. Harish Chandra S/o Late Shri Mahadev, Resident Of Opposite Govt Sardar Senior Secondary School, Ward No.16, Kotputli, District, Jaipur (Raj.)

----Respondents

S.B. Civil Writ Petition No. 12739/2022

Prem Singh S/o Shri Surajbhan Singh, Aged About 56 Years, Having Its Shop Jodhpur Mishthan Bhandar, Opp. Nagarpalika Park, Pandit Market, Tehsil Kotputli, District Jaipur.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli,





District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13277/2022

1. Omprakash S/o Late Shri Budha Ram, Aged About 74 Years, Resident Of Purana Bus Stand, Main Market, Kotputli, District Jaipur.
2. Radhey Shyam S/o Late Shri Budha Ram, Aged About 63 Years, Resident Of Purana Bus Stand, Main Market, Kotputli, District Jaipur.
3. Kishan Lal S/o Late Shri Budha Ram, Aged About 59 Years, Resident Of Purana Bus Stand, Main Market, Kotputli, District Jaipur.

-----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
2. State Of Rajasthan, Through Secretary, Department Of Local Self Government, Secretariat, Jaipur.
3. State Of Rajasthan, Through Director Cum Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through President (Sabhapati), Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13329/2022

1. Sandeep S/o Shri Shivkumar Bansal, Aged About 38 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli, District Jaipur.
2. Saurabh Bansal S/o Shri Shivkumar Bansal, Aged About 34 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli, District Jaipur

-----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary,



Department Of Local Self Government, Secretariat, Jaipur.

2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13769/2022

Shiv Kumar Bansal S/o Late Shri Prahlad Chand Chaudhary,
Resident Of Mohalla Buchaheda, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13789/2022

Ashok Gupta S/o Late Shri Prahlad Chand Chaudhary, Aged
About 52 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli,
District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.



2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13791/2022

Prem Chand Bansal S/o Late Shri Prahlad Chand Chaudhary, Aged About 61 Years, Resident Of Mohalla Buchaheda, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13946/2022

Vishnu Soni S/o Shri Masudi Lal Soni, Aged About 39 Years, Resident Of Ward No. 24, Chota Bazar, Mohalla Buchaheda, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan Through Principal Secretary, Urban





Development And Housing Department, Secretariat, Jaipur.

3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13947/2022

Kamla Devi W/o Shri Jagdish Prasad Saini, Aged About 59 Years, Resident Of Dhani Kayathwali, Tehsil Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council, Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13955/2022

Arvind Kumar S/o Shri Kajod Mal, Aged About 38 Years, Resident Of Ward No. 8, Karana, Kotputli City, Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.





3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 13999/2022

Rajendra Kumar Mishra S/o Shri Chotelal Mishra, Aged About 46 Years, Resident Of Ward No. 20, Mohalla Basdi, Tehsil Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 14702/2022

Satish Kumar Gupta S/o Late Shri Ramkaran Khandelwal, Aged About 51 Years, R/o Rajneta Bol, Near Nagar Palika Tiraha, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self





Government, Government Of Rajasthan, Jaipur.

4. Municipal Council, Kotputli, Through Chairman, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 15591/2022

Rajendra Kumar Goyal Son Of Shri Phool Chand Goyal, Aged About 55 Years, Resident Of Sunder Plaza, Indira Bazar, Kotputli, District Jaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)
4. Commissioner, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

-----Respondents

S.B. Civil Writ Petition No. 15848/2022

Govind Narayan Sharma S/o Shri Badri Prasad Sharma, Aged About 70 Years, R/o Kamla Bhawan, Nehru Bazar, Near Shanidev Mandir, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self



Government, Government Of Rajasthan, Jaipur.

4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 15873/2022

1. Rajesh Kumar Gupta S/o Late Shri Omprakash Gupta, Aged About 53 Years, R/o Ward No. 12, Mohalla - Peethawali, Kotputli, District Jaipur.
2. Yogesh Kumar Gupta S/o Late Shri Omprakash Gupta, Aged About 48 Years, R/o Ward No. 12, Mohalla - Peethawali, Kotputli, District Jaipur.

-----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
2. State Of Rajasthan, Through Secretary, Department Of Local Self Government, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President (Sabhapati), Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 16232/2022

Roshan Lal Son Of Shri Ram Rawat, Aged About 46 Years, Resident Of Village Nangal Panditpura, Tehsil Kotputli, District Jaipur, Presently Residing At Mohalla Badabass, Ward No.-27, Tehsil Kotputli, District Jaipur

-----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary, Department Of Local Self Government, Government Of Rajasthan, Government Secretariat, Jaipur.





2. State Of Rajasthan, Through Its Principal Secretary, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur.
3. The Director And Joint Secretary, Department Of Local Self Government, Government Secretariat, Jaipur
4. The Municipal Board, Kotputli Through Commissioner, Kotputli, District-Jaipur.
5. Executive Officer, Municipal Board, Kotputli, District-Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 18653/2022

Shanker Lal Goyal Son Of Shri Gheesa Ram Goyal, Aged About 58 Years, Resident Of House No. 39, Ward No.11, Adarsh Nagar, Dabla Road, Kotputli, District Jaipur (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
2. Pr. Secretary To Government, Urban Development And Housing Department, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.)
3. Director, Local Bodies, Government Of Rajasthan, Near Civil Lines Phatak, Jaipur (Raj.)
4. Commissioner, Municipal Council, Kotputli, District Jaipur (Raj.)
5. Sub Divisional Officer, Kotputli, District Jaipur (Raj.)
6. Tehsildar, Kotputli, District Jaipur (Raj.)

-----Respondents

S.B. Civil Writ Petition No. 18693/2022

Raj Bansal S/o Shri Yogesh Bihari Gupta, Aged About 40 Years, Resident Of Mohalla Buchaheda, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.



2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 19131/2022

Maithlisharan Bansal S/o Shri Jagdish Sharan, Aged About 75 Years, R/o Ward No. 19, Mohalla Buchaheda, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director And Joint Secretary, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 19214/2022

Narendra Sharan Bansal S/o Shri Madan Sharan, Aged About 65 Years, R/o Mohalla Buchaheda, Ward No. 19, Opp. Old Nagarpalika Office, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat,



Jaipur.

3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 19220/2022

Khyaliram Saini S/o Shri Bahaduramal Saini, Aged About 47 Years, Amarpura Nayi Kothi, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

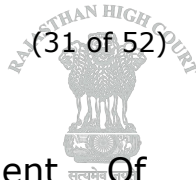
S.B. Civil Writ Petition No. 19224/2022

Mukesh Kumar Garg S/o Shri Shankar Lal Garg, Aged About 42 Years, Shop At Jaganath Mobile Store, Near Nagar Palika Tiraha, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.



3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through President, Kotputli, District Jaipur.
5. Commissioner, Municipal Council -Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 200/2023

Ishar Khan S/o Shri Shafi Mohammad, Aged About 62 Years, Having Its Shop At Bansal Pustak Bhandar, Indra Bazar, Kotputli, District Jaipur - 303108.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 201/2023

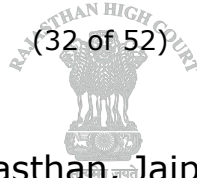
Virendra Kumar Agarwal, S/o Shri Hiralal Agarwal, Aged About 47 Years, Resident Of Adarsh Nagar, Ward No. 10, Kotputli, District Jaipur - 303108.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government,





Government Of Rajasthan, Jaipur.

4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council - Kotputli, Kotputli, District Jaipur.

-----Respondents

S.B. Civil Writ Petition No. 1473/2023

Anil Kumar Gupta S/o Shri Late Shri Mahaveer Prasad Gupta, Aged About 54 Years, Resident Of Mohalla Badabas, Kotputli, District Jaipur.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Local Self Government, Secretariat, Jaipur.
2. State Of Rajasthan Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
3. Director, Department Of Local Self Government, Government Of Rajasthan, Jaipur.
4. Municipal Council, Kotputli, Through Chairperson, Kotputli, District Jaipur.
5. Commissioner, Municipal Council-Kotputli, Kotputli, District Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Ashish Sharma Mr. Mukul Sharma Ms. Lipi Garg Mr. Sidharth Bapna Mr. Hemant Sharma Mr. Ajay Gupta with Ms. Sampti Sharma Mr. Pramod Kumar Bansal Mr. Ranvijay Singh Mr. Jitendra Mitruka Mr. Harshit Sharma Mr. Mishra Naveen Chandra M. Mukesh Kr. Meena
For Respondent(s)	:	Mr. G.S. Gill-AAG Mr. S.P.S. Rajawat- Asstt.G.C. Mr. Manoj Kumar



Ms. Anima Jain

JUSTICE ANOOP KUMAR DHAND

Reserved on

20/05/2025

Pronounced on

26/05/2025

Reportable

For convenience of exposition, this order is divided in the following parts: -

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Factual matrix of the case:-

1. This bunch of writ petitions has been filed for issuing a writ of mandamus against the respondents for declaring the action of the respondents, in attempting to demolish the properties of the petitioners for the purpose of widening the road without following the due process of law, as being illegal, arbitrary, unjust, unconsensual and against the law and in violation of Articles 14, 21 and 300-A of the Constitution of India and also against the principles of natural justice.

2. Since, common questions of law and facts are involved in these writ petitions, therefore, with the consent of the counsel for the parties, arguments have been heard together in all these matters and the same are being decided by this common order.

3. For convenience sake, the facts pleaded and the prayer quoted in S.B. Civil Writ Petition No. 13323/2022 is taken into consideration.



4. The instant writ petition has been filed with the following prayer:-

- "a) Direct the Respondents to submit the relevant original record before this Hon'ble Court;
- b) By way of suitable writ, order or direction, the Respondents be directed to construct and redevelop the Structure of 25 X 25 Sq Feet as it existed prior to the demolition with the same facilities and also to return the inventories which they have collected during the course of demolition and if the construction is done by the Petitioner, the amount towards the same be kindly be directed to be reimbursed to the Petitioner,
- c) By way of suitable writ, order or direction, the demolition proceedings be quashed and set aside and be declared illegal and suitable compensation be awarded as may be deemed fit by the Hon'ble Court;
- d) By way of suitable writ, order or directions, suitable committee of High Officials be constituted to conduct an inquiry against the erring officers who undertook the task of such mass demolition without serving any notice and order;
- e) Alternatively if the Respondents wants to acquire the land of the petitioner, the same may be treated as deemed acquisition and suitable compensation in terms of The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 be awarded;
- f) By way of suitable direction, writ or order any actions taken or notices issued during the interregnum period be kindly taken on record and be quashed accordingly;
- g) Any other appropriate writ, order or direction which may be considered just and proper in the facts and circumstances of the case may also kindly be issued in favour of the petitioner."


5. By way of filing these writ petitions, a challenge has been led to the impugned action of the respondents, by which the demolition drive, targeting structures constructed by the petitioners, has been conducted by the respondents.

Submissions by the Petitioners:-

6. Counsel for the petitioners submit that in all these cases, the petitioners either hold the registered sale deeds in their favour,



possess sale deeds executed by the respondents themselves, or, in some instances, have taken possession based on pattas issued by the erstwhile Riyasat of Khetri. Counsel submits that they are lawful occupants of the property in question and without following the due process of law, the respondents have started the demolition drive, in the garb of extending the width of the road. Counsel submits that as per the Master Plan, prepared by the respondents, the width of the other land i.e. main road was shown as less than 18 Mtr. (60 feet) and even then, going contrary to the Master Plan and the conditions mentioned therein, the respondents have issued notices for demolition of structures constructed by the petitioners. Counsel submits that on the earlier occasions also, the petitioners had approached this Court by way of filing a batch of writ petitions and all those writ petitions were decided by the Co-ordinate Bench of this Court directing the respondents to decide the objections, submitted by the petitioners by passing a reasoned and speaking order. Counsel submits that this Court also directed the respondents to maintain status quo with regard to the properties in dispute and liberty was granted to the petitioners to the effect that in case, any adverse decision is taken against them, they will challenge the said action of the respondents before the appropriate forum of law. Counsel submits that the petitioners approached the Division Bench of this Court by way of filing a batch of Special Appeals Writ and the said appeals were decided by the Division Bench of this Court vide order dated 25.02.2022 with the lead case of **Prakash Chand Saini Vs. State of Rajasthan and Ors (D.B. Special Appeal Writ No. 341/2022)**, whereby the Division Bench upheld the order of the



Single Bench and quashed the public notice dated 23.12.2021 with direction to the respondents to decide the objections submitted by the petitioners within a period of 30 days from the date of passing of the order, by passing a speaking order. Counsel submits that in pursuance of the aforesaid order, passed by the Single Bench and Division Bench of this Court, objections were submitted by the petitioners, along with supporting documents and their titles over the properties in question, before the respondents but without affording any opportunity of hearing and without even communicating the order to the petitioners, the respondents have started the demolition drive. Counsel submits that the petitioners were granted commercial leases to use and occupy the premises for commercial activities. However, the impugned action has been taken treating the said premises as residential and their leases have been cancelled, without issuing any notice to them or affording them any opportunity of hearing. In one of the matters, an example has been cited where the decision was taken on 18.07.2022; however, the endorsement on the said order regarding service of notice bears an earlier date, i.e., 18.07.2020. Counsel submits that the petitioners have produced certain documents indicating that, in most of the cases, the same individuals—Inderjeet and Ram Kumar Saini have been named as witnesses in both the initial and subsequent notices, which casts doubt upon legitimacy of the action of the respondents, hence, under these circumstances, interference of this Court is warranted.

7. Lastly, they argued that if at all the respondents want to construct any road by expanding the width of the same, in the



public interest, then the respondents are supposed to follow the due process of law i.e. to give proper notice to the petitioners and also to pay a suitable amount of compensation to them. Counsel submits that in view of the submissions made herein above, the impugned action of the respondents be quashed and all these writ petitions be allowed. Counsel for the petitioners submits that unless and until, the Master Plan is changed, the respondents cannot be allowed to acquire the lands of the petitioners, even in public interest.

Submissions by the respondents:-

8. Per contra, counsel for the respondents-Mr. G.S.Gill-AAG opposed the arguments raised by counsel for the petitioners and submits that before preparing the Master Plan, objections were invited which were also received and after considering each and every objection, the proposed Master Plan was prepared by the Government and accordingly, a notification was issued. Counsel submits that, in the larger public interest, the Empowered Committee decided to widen the road. However, if any pattas were issued by the Municipal Council/Board, which were contrary to law, they could be cancelled by the authorities, only after affording due opportunity of hearing to all the concerned parties. Counsel submits that after the decision passed by the Single Bench and the Division Bench of this Court, each and every individual matter has been examined by the authorities, and after taking into consideration the documents relied upon by them, the representations/objections of the petitioners were rejected by passing a reasoned and speaking order. Counsel submits that if there is any conflict between the public interest and private



interest, then preference should be given to the public interest and the construction of roads should be carried out for the benefit of the public at large. Counsel submits that if any of the petitioner has a grievance that his stand was not considered, then appropriate orders would be passed in each individual case, and the grievance would be redressed through a decision to be taken by the concerned authority. Counsel submits that in view of the submissions made herein above, these writ petitions are liable to be rejected.

Analysis & Discussions:-

9. Heard and considered the submissions made at bar and perused the material available on record.

10. The Rajasthan Urban Improvement Act, 1959 (for short, 'the Act of 1959') has been enacted with an object to promote and facilitate the improvement and expansion of the Urban areas in the State of Rajasthan. This is achieved by creating statutory bodies called Urban Improvement Trusts (for short 'UITs'), Municipalities i.e. Municipal Corporation, Council and Bodies (i.e. Local Bodies) which are entrusted with implementing town improvement schemes, town expansion schemes and providing essential services and amenities to the citizens. The Act aims to address urban development challenges by providing a framework for planned and systematic improvement of urban areas. The Act empowers UITs and other local bodies to prepare Master Plans for urban areas, as they are responsible for future development and expansion.

11. Following the provisions contained under Sections 5 and 6 of the Act of 1959, a master plan was prepared for development of



the Town of Kothputli for the year 2011-2031 and when this Master Plan 2011-2031 was issued in the year 2011, the general public was intimated about the proposed Master Plan and in accordance with the provisions contained under Section 5 of the Act of 1959, objections were invited from the public and after considering the said objections, the draft Master Plan was sent to the Government of Rajasthan under Section 6 of the Act of 1959, wherein the Government approved the said master plan.

12. The Municipal Council, Kotputli (herein after referred as 'the Council') conducted a meeting of Empowered Committee on 26.11.2021 and vide order dated 06.12.2021 took a decision to remove permanent and temporary encroachments from roads and footpaths for extension of width of the roads. The aforesaid decision was taken for beautification, widening the roads and also to redress the issue of traffic congestion in the city of Kotputli.

13. It appears that in pursuance of the aforesaid decision of the Empowered Committee, notices were issued on 15.12.2021 and 23.12.2021 by the Municipal Council for removal of encroachments and the petitioners were asked to furnish the documents supporting their lawful title over the lands in question.

14. Feeling aggrieved by the notices, the petitioners approached this Court by way of filing different writ petitions and all these writ petitions were decided separately and in most of the matters, common orders were passed.

15. The writ petition submitted by the petitioner-**Hari Prasad Sharma Vs. State of Rajasthan and Ors**, being **S.B. Civil Writ Petition No. 15468/2021** was decided on 17.01.2022 with the following decision:-



“Considering the submissions made by counsel for the parties, in the facts and circumstances, I deem it just and proper to direct the respondent-Nagar Palika to decide the objections submitted by the petitioner pursuant to the notice issued to him, by reasoned and speaking order within a period 30 days. However, the parties are directed to maintain the status-quo with regard to the property in disputed as it exists today, till the final decision is taken in the matter by the Nagar Palika. In the event of any adverse decision being taken by the respondent-Nagar Palika, the petitioner would be at liberty to challenge the same before the appropriate forum. It is further directed that the respondentNagar Palika shall act upon on their decision after 15 days of its issuance”.

16. The petitioner and other co-petitioners submitted different special appeals before the Division Bench and the same were decided vide a common order dated 25.02.2022, with the lead case of **Prakash Chand Saini Vs. State of Rajasthan and Ors. (D.B. Special Appeal Writ No.341/2022)**, with the following observations and directions:-

“1. These appeals arise out of the common judgment of the learned Single Judge dated 07.01.2022. The appellants-original petitioners had challenged the action of the municipal authorities of Kotputli issuing notice dated 14/15.12.2021 and public notice dated 23.12.2021. By the impugned judgment the learned Single Judge allowed the petitioners to raise objections to the said notices upon which the Nagar Palika would decide the objections by a speaking order within a period of 30 days. Against this judgment the petitioners have filed these appeals.



2. Ordinarily since the order passed by the learned Single Judge does not take away any of the rights of the appellants-petitioners, we would not have examined these appeals any further. However learned counsel for the appellants vehemently contended that the Nagar Palika has issued eviction notices to the occupants of the area who are occupying these premises on lawful basis since long and the notice threatens the occupants with demolition if occupation is not withdrawn voluntarily. On such basis we have issued notice to Nagar Palika. Mr. Anil Mehta, AAG appearing for the Nagar Palika stated that the Nagar Palika intends to widen the road. He submitted that some of the occupants have caused encroachments. Accordingly notices dated 14/15.12.2021 were issued. He further brought to our notice that under a general public notice dated 23.12.2021 the Nagar Palika asked all the occupants within the road land to remove their structures failing which there would be a demolition. He could not controvert the averments of the appellants-petitioners that no procedure for acquisition on private lands has been undertaken by Nagar Palika.

3. Under the circumstances we are of the opinion that those petitioners-occupants to whom the notice dated 14/15.12.2021 or such similar notices have been served, they must file their replies. If according to them they have not encroached on any part of the private land it would be open for them to point out the same to the authorities. However the public notice dated 23.12.2021 is bad in law and requires all and sundry to withdraw the occupation failing which there would be demolition of structures. This does not make a distinction between a person who has caused encroachment and why he was occupying the premises in unlawful terms. Counsel for the Nagar Palika agreed that no proceedings for acquiring such private properties either through private negotiations or compulsory acquisition has been undertaken. The municipality cannot demolish such structures.

4. Under these circumstances appeals are disposed of with following directions:-



1. Any of the appellants-original petitioners who may have received the said notice dated 14/15.12.2021 may file objections before the authorities. If no objection is raised, the same be done within a period of 30 days from today. The objection which have already been received or those may be received 30 days thereafter be disposed of by the authorities by a speaking order as desired by the learned Single Judge. 2. Public notice dated 23.12.2021 is quashed.

5. Learned counsel for the appellants submitted that subsequently the municipality has amended Rajasthan Municipality Act, 2009 and inserted Section 73B therein. Since these are developments which took place after the disposal of the writ petitions and since Section 73B of the Act is not under challenge, the course of these appeals would not change on account of these developments. It is always open for the appellants to take recourse of appropriate remedy if fresh cause of action has arisen."

17. It is the case of the petitioners that they claim to be lawful occupants of the lands in question and their claims are based on the registered sale deeds and the pattas issued by the erstwhile Riyasat of Khetri so also pattas and lease deeds executed by the Municipal Council, Kotputli and, in some cases, they assert their status as tenants. They submitted their objections before the Council, wherein almost all of them have contended that the respondents, without affording them an opportunity of hearing or deciding their rightful claims over the disputed lands, once again initiated a demolition drive to remove their temporary and permanent structures, without following the due process of law.

18. In counter to the aforesaid, the respondent State's stand is that each and every objection and representation submitted by



the petitioners, were decided by the authority, after taking into account the documents submitted by them. According to them, the documents submitted by most of the petitioners do not establish their lawful right over the disputed lands and leases granted to some of the petitioners were found to be illegal, hence, the same were cancelled and accordingly, a decision was taken to initiate the demolition drive for extension of the width of the road in the city/town.

19. The petitioners dispute the claim of the respondents that opportunity of hearing was provided to them before passing orders on their representations. These orders were never communicated to the petitioners and, to their utter surprise, were produced for the first time by the respondents, in their reply.

20. It appears that for widening of the roads in the city, for development and beautification of the city area and for redressing the grievance of the general public at large like traffic congestion, etc., a Master Plan 2011-2031 was prepared and the same was approved by the State wherein the expansion of the roads was splitted in five parts measuring the right of way for; 1. National Highway/ State Highway/ Bypass roads- 60 meter (200 feet), 2. Prime Roads- 30 meter (100 feet), 3. Sub-prime roads- 24 meter (80 feet), 4. Main road- 18 meter (60 feet) and 5. Other main roads less than 18 meter (60 feet).

21. Dispute has been raised by both the sides about extension of the width of road falling under category no. 5 i.e., other main roads. The authorities are expected to extend the width of the roads strictly, as per the approved master plan.



22. A Master Plan is a policy document for guiding the future development of the cities or towns in a planned manner which cannot be modified or revised and the same cannot be permitted to set at naught, at the whims and fancies of the authority concerned or anyone else just to serve the interest of the individuals. It should be implemented in larger public interest. The Division Bench of this Court at the Principal Seat at Jodhpur has held so in the case **Gulab Kothari Vs. State of Rajasthan**, reported in **2017 (1) WLC (Raj.) 562** and the paragraphs No. 87 and 205 (iv), being relevant for the present purpose, are reproduced as under:-

"87.Thus, there cannot be any quarrel with the proposition that the Master Plan, which is a policy document for guiding the future development of the city or town in the planned manner and to arrest undesirable and unplanned growth, is not a static document, which cannot be modified or revised as and when considered necessary in the larger public interest in furtherance of planned development of the urban area in respect whereof it is made operative. But then,the Master Development Plan prepared to master the future development in the city or town democratically, after due deliberation and consideration of suggestions and objections from the public at large, cannot be permitted to be set at naught at the whim and fancy of the authority concerned just to serve the interest of individuals. Obviously, the object of the planned development shall be achieved by rigorous and successful



implementation of the Master Development Plan and not by deviation therefrom with impunity.

205. (iv) Once the Master Development Plan is brought into being, vigilant implementation thereof shall be the rule and any deviation therefrom an exception and therefore, the power vested with the authority or the State Government for modification thereof during its operative period shall be exercised sparingly in larger public interest, to achieve the basic object thereof i.e. planned development of the concerned region, city or town and not to sub-serve interest of an individual."

23. Hence, neither the respondents nor the petitioners can be allowed to raise any objection with regard to widening of the road for Master Plan 2011-2031, which has been prepared for development of the Kotputli city/town.

24. Now the question which remains for consideration of this Court is that whether the respondents were justified in rejecting the representations/objections, raised by the petitioners, without affording them opportunity of hearing?

It is the case of the petitioners that they are having their right, title and interest over the properties in question which is allegedly violated through demolition, by the respondents without following the due process of law.

25. It would be difficult for this Court to examine the case of each and every individual petitioner and come to the conclusion as to whether the petitioners are rightful occupants of their premises or not? It is a disputed question of fact which cannot be



adjudicated by this Court in its writ jurisdiction under Article 226 of the Constitution of India.

26. As an example, this Court in S.B. Civil Writ Petition No. 12067/2022, observed that the order dated 18.07.2022 (Annexure R-4), passed by the respondents, pertains to a petitioner who claims to be the holder of a commercial patta, issued by the Council itself on 03.07.2017. However while treating the premises of the petitioner as resident, his patta was cancelled by the Council through the impugned order dated 18.07.2022, without issuing any notice or granting any opportunity of hearing to the petitioner. Though, a note has been appended on this order dated 18.07.2022 that the petitioner refused to accept notice on 08.07.2022, hence, the same was affixed on his shop on the same day i.e. 08.07.2022 in the presence of two independent witnesses namely Inderjeet and Ram Kumar Saini.

It is both shocking and surprising on the part of the respondents, in claiming that the petitioner has refused to accept the notice on 08.07.2022. An endorsement to this effect has been made on the same date i.e. on 08.07.2022 in back date, at the bottom of the final impugned order dated 18.07.2022. The question emerges that how notices can be treated as served on 08.07.2022, when the endorsement in this regard is made on the order dated 18.07.2022 itself. The previous notice annexed with the writ petition also reveals that it was signed by the same two witnesses, namely Inderjeet and Ram Kumar Saini.

The other identical and similar notices issued by the respondents in the month of July, 2022 also indicate that the same persons i.e. Inderjeet, Ram Kumar Saini, and Rajendra Kumar



Saini, were consistently shown as witnesses to the alleged "refusal of notices" by all the petitioners. What is particularly striking in these cases is that only these two or three individuals were made witnesses in each notice, which raises serious doubts about fairness and credibility of the respondents' actions and their conduct. Such action on the part of the respondents has resulted in violation of principles of natural justice. Principle of natural justice i.e. "*audi alteram partem*" states that before passing any adverse order against any person, an opportunity of hearing is required to be given to him. But in the instant case, the impugned orders have been passed ex parte without affording any opportunity of hearing to most of the petitioners. In some of the matters, opportunity was provided but the documents, relied by the petitioners, were not taken into consideration.

27. The Rajasthan Municipalities Act, 2009 (for short, 'the Act of 2009') provides various provisions that prohibits encroachment on public roads and footpaths. Before taking any action, the municipal authorities are usually required to issue notice to the individuals or establishments, involved in creating illegal encroachments.

It is settled proposition of law that before taking any action against any individual or establishment, due process of law is required to be followed. Due process of law means that proper notice and opportunity to be heard must be provided to the affected parties, before any adverse action is taken against them.

28. Article 21 of the Constitution of India mandates that no person shall be deprived of his life and personal liberty except according to the procedure established by law. In the case of



Maneka Gandhi Vs. Union of India reported in **AIR 1978 SC 597**, the Hon'ble Apex Court has expanded the scope of procedure established by law by ruling that such procedure has to be "fair", "just" and "reasonable" and not fanciful, oppressive or arbitrary, thereby introducing the principle of "procedural due process".

29. Even, in the case of **Municipal Corporation, Ludhiana Vs. Inderjeet Singh**, reported in **2008 (13) SCC 506**, the Hon'ble Apex Court has ruled out that if the requirement is provided under the municipal legislation, then this requirement must necessarily be complied with. No authority can directly proceed with the adverse action without providing notice or any opportunity of being heard to the occupant.

30. The only objection of the petitioners is that before taking adverse action against them, an opportunity of hearing is required to be given to them and the stand taken by them is required to be considered and in case, they have any rightful claim on the lands in dispute, then appropriate compensation be also granted to them in lieu of their lands, if required for the purpose of extension of widening of road, as per the Master Plan.

Conclusion & Directions:-

31. In a democratic set-up governed by the Rule of Law, the State can not deprive its citizens from their properties without following the due process of law. The Hon'ble Apex Court in the case of **State of Haryana Vs. Mukesh Kumar** reported in **2011 (10) SCC 404** has held that right to property is now considered to be a human right, which includes right to shelter. Forceful dispossession of a person from his private property, without



following the due process of law, was held to be violative of Article 301-A of the Constitution of India.

32. The roots of the idea of 'Rule of Law' can be seen in **Article 39 of the Magna Carta, 1215** that declares that no action can be taken against a person except by a lawful act or by law of the land. The Magna Carta is a landmark document in the history of human rights and legal system. It has established that no one is above the law. It is considered as a significant steps in the development of modern democracy and is seen as a foundation document for idea of liberty and human rights. It remains a symbol of liberty and a battle against oppressions. It served as a foundation for legal and constitutional development around the whole world. The principles enshrined in Magna Carta such as Rule of Law and protection of individual's rights, continue to influence the legal system today. This civilizational journey has since then found its reflection in Article 21 of the Constitution of India which commands that no person shall be deprived of his life and personal liberty, except according to the procedure established by law.

At the same time, the Hon'ble Apex Court in the case of **Jagpal Singh and Ors. Vs. State of Punjab and Ors.** reported in **2011 (11) SCC 396** has issued directions to all the State Governments of the country to prepare schemes for eviction of illegal/unauthorized occupants. These lands should be restored to the Government authorities for the use and benefit of public at large. The said scheme should provide a speedy eviction of such illegal occupants, after giving them a show cause notice and a brief hearing. The above observations of the Apex Court leave no



room for doubt that removal of encroachments from all public lands is mandated by law, and appropriate actions must be taken promptly, in accordance with the due process of law.

33. In the considered opinion of this Court, the city's development and beautification efforts, as outlined in the Master Plan, should proceed without obstruction. However, it is equally essential to ensure that property owners whose assets are subject to demolition are given a fair hearing. Accordingly, a Committee is required to be constituted to examine each case and redress the grievances of the petitioners. If such a Committee comes to the conclusion that any individual is having a valid title over his/her property and still his /her property is required for expansion of the width of the road, in public interest, then decision must be taken at appropriate level to compensate such person(s).

34. While carrying out development work for beautification of the city and expansion of roads in the larger public interest, the respondents must ensure that if trees or plants need to be removed, they first count and document the number of such affected trees and plants. Subsequently, they should plant trees ten times of the number in the nearby public areas close to the city. This condition is imposed in greater public interest. Planting trees and plants, as directed above, is an initiative that this Court considers appropriate, as thriving trees, whether for decades or centuries, provide continuous and silent benefits to the city and its surrounding community. Future generations will enjoy a cleaner, fresher, and oxygen-rich environment as a result thereof.

35. In the considered opinion of this Court, it is the right time and high time that proceedings should be brought to a logical



conclusion, one way or the other. The development and expansion work of roads cannot be allowed to remain stalled for indefinite period. The same is required to be done in larger public interest as earliest as possible. The respondents may proceed ahead with aforesaid purpose, after following due process of law and making compliance of the direction of this Court.

36. Considering all the facts and circumstances of the case, this Court disposes of all these writ petitions by issuing the following directions:-

(a) The respondents shall constitute a committee within fifteen days from today and the petitioners shall submit their representations and objections, regarding their rights and title over the premises/lands in question, to the said Committee within fifteen days thereafter.

(b) The Committee shall provide an opportunity of hearing to all the petitioners and shall decide their representations and objections strictly in accordance with law, by passing reasoned and speaking orders in each individual case.

(c) In case, the Committee concludes that any petitioner is in possession of the premises, based on the documents establishing his/her valid title, and such premises are required for expansion of road, then adequate compensation shall be awarded to him/her, at the appropriate level, in accordance with the prevailing DLC rates and in the alternative, he/she may be allotted, land as per his/her entitlement, under any applicable government scheme.

(d) In the cases, where no objections are received, the respondents shall be at liberty to proceed further in accordance with the law.



(e) Any person aggrieved by the decision of the respondents shall be at liberty to approach the appropriate forum of law for redressal of his grievance.

(f) If, during the course of expansion or construction of the road, plants or trees are required to be removed then the respondents are directed to count such trees/plants and prepare an inventory. For every removed tree or plant, the respondents shall plant ten shady plants in the close vicinity and nearby public area and shall submit a report in this regard to this Court.

(g) After the representations and objections have been decided, the respondents shall be free to proceed with the construction of road, as per the Master Plan 2011-2031, provided that a minimum of fifteen days has elapsed, since the issuance of the respective orders on the petitioners' representations and objections.

37. It goes without saying that the order passed by this Court would be complied with by the respondents within a period of three months from today.

38. Stay application(s) and all pending application(s), if any, also stand disposed of.

39. Let a copy of this order be placed separately in each file of the bunch of petitions.

(ANOOP KUMAR DHAND),J

Ashu/10-70