

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



S.B. Civil Writ Petition No. 18802/2026

CNR: RJHC020884782026 | URN: CW / 39040U / 2026

Jairam S/o Ramdeva, aged About 86 Years, Resident of Patarkhera. Now R/o-Patarkhera Tehsil- Baswa District-Dausa (Raj.).

----Petitioner

Versus

1. Sub-Division Magistrate, Mandawar, Dausa
2. Tehsildar Baijupada (Receiver), Dausa
3. Shri Ramdhan, S/o Dhudya,
4. Manjiram, S/o Kajodya
5. Girdhari, S/o Gangadhar
6. Ratan Lal, S/o Mulya
7. Dhansi, S/o Maujiram
8. Gilli, S/o Gopi
9. Ramhet, S/o Piraga
10. Bhura, S/o Piraga
11. Narayan S/o Dhudya
All R/o-Siknay Dhani, Hingota, Tan Hingota. Now R/o-Village-Baijupada, District- Dausa.
12. Narayan, S/o Purya
13. Harsahay, S/o Sonya
14. Lallu S/o Jainarayan
15. Sharvan, S/o Somotya
16. Sukalya S/o Rampal
All Resident of Patarkhera. Now R/o-Patarkhera Tehsil-Baswa District-Dausa (Raj.).

----Respondents

For Petitioner(s) : Mr. Kawal Singh Loha

For Respondent(s) :

JUSTICE ANOOP KUMAR DHAND

Order

**18/09/2026**

Reportable

1. Man lives for a short span while litigation continues for infinite time.
2. It is often said that human life is short and finite, whereas litigation is infinite and immortal. A man lives for a brief span, but litigation continues for generations together, outliving the very litigants who initiated it. The present case is a glaring examples of the same. The maxim "Justice Delayed is Justice Denied" is not a mere platitude but a harsh reality of the system prevailing in Revenue Courts Administration System. If cases remain pending and are not decided for years together, for decades and in some cases even after more than half a century has passed, it is a sorry state of affairs.
3. This Court cannot keep its eyes close to the shocking state of affairs prevailing before the Revenues Courts in the State of Rajasthan.
4. The instant case is a glaring and classic example of the apathy and callousness of the system. The record indicates that the present litigation is pending for the last 63 years. More than half a century has passed, generations have changed, the original litigants have died, but the case is still alive on the file, outliving the original litigants themselves.
5. The instant writ petition has been submitted seeking issuance of directions to the Sub Divisional Magistrate, Mandawar, District Dausa to finally decide complaint case No. 52/1963 (New No. 1/2024) wherein the proceedings under Section 145 Cr.P.C. have been initiated in respect of the subject property.



6. Counsel for the petitioner submits that the proceedings under Section 145 Cr.P.C. were initiated by the concerned police station by way of filing the aforesaid complaint in the year 1963 and more than 63 years have elapsed since then; however till date, these proceedings are still pending. Counsel further submits that during the pendency of the instant petition, several parties to the litigation have expired and their legal representatives have been taken on record. Hence, under these compelling circumstances, the petitioner has approached this Court seeking appropriate directions.

7. It is quite shocking and surprising on the part of the Sub Divisional Magistrate that the proceedings initiated in the year 1963 are still pending adjudication and despite more than sixty three years having elapsed, the complaint filed under Section 145 Cr.P.C. has not been finally decided. Pendency of such an old matter amounts to a gross abuse of the process of law. The instant case is a glaring example of a situation where more than six decades have passed, but till date, the matter has not been finally adjudicated.

8. It appears that neither party is interested in the disposal of the instant case and that is why, the matter has been deferred from one date to another. No litigant has the right to abuse the procedure provided under the Code of Criminal Procedure. The concept of seeking repeated and unnecessary adjournments has grown and spread like a cancer, corroding the entire body of the judicial system.

9. A party to the litigation is not at liberty to proceed with the trial at his own leisure and pleasure, and has no right to

determine when the evidence is to be lead and when the matter should be heard. The parties to the suit-whether the applicant or non-applicant, petitioner or respondent, appellant or respondent-are not expected to cause any unnecessary delay. The Courts are also expected to ensure that old matters are heard and decided expeditiously.

10. Granting repeated adjournments in a routine manner affects the judicial delivery system and such a practice of the Courts is liable to be deprecated. A litigant is entitled to get speedy justice, as guaranteed under Article 21 of the Constitution of India. It appears that more than six decades have passed on account of the practice of seeking repeated adjournments for one reason or another. More than sixty three years have passed wherein the Court below has repeatedly entertained the unnecessary and unwarranted requests made by either side, that is why till date, the complaint filed under Section 145 Cr.P.C. is at the same stage as it was in the year 1963, when it was instituted.

11. The sole reason for such long pendency of the aforesaid complaint is the above-noted practice of seeking unnecessary adjournments. Now the time has come to change the old mindset and approach of the litigants, where the cases are filed by the grandparents and the judgments are eventually heard by their grandchildren. In such a situation, one of the parties continues to derive benefit from the prolonged pendency, while the other party is left without adjudication of the dispute on its merits. It has right time and high time to change this situation and work culture and more away from the culture of taking unnecessary adjournments,

so that confidence and trust of the litigants in the justice delivery system are not shaken and the Rule of Law is maintained.

12. Speedy trial is a fundamental right of a person, as guaranteed under Article 21 of the Constitution of India and in the present case, the very concept of right of speedy trial has been grossly violated. Such inordinate delay cannot be allowed to be appreciated or continued and is liable to be condemned.

Directions:-

13. Considering the overall facts and circumstances of the case, this Court deems it just and proper to issue direction to the Sub Divisional Magistrate, Mandawar, District Dausa to make all possible endeavours to conclude and decide the pending complaint expeditiously, as early as possible, but not beyond the period of three months from the date of receipt of the certified copy of this order.

14. The Sub Divisional Magistrate is directed not to entertain any unnecessary and unwarranted requests for adjournment made by either side.

15. In case, any request is made by either side in future seeking deferment of the matter, heavy cost, running into six figures shall be imposed upon the person seeking such adjournment.

Additional Directions:-

I) No adjournment shall be granted in this case, unless it becomes absolutely unavoidable, and that too the reasons therefore shall be recorded in writing in the order-sheet itself, in the handwriting of the Presiding Officer.



II) The case shall be kept in the category of "OLDEST TARGETED CASE TO BE DECIDED ON TOP PRIORITY" and shall be taken up on a day-to-day basis.

III) A compliance report along with certified copy of the final judgment, shall be submitted to this Court immediately after the expiry of the said period of three months.

IV) It is made clear that non-compliance of this order shall be viewed seriously. In case, the Presiding Officer fails to decide the case within the stipulated time-frame without any justifiable and cogent reason, this Court shall be constrained to issue appropriate directions to the higher authorities i.e. the Divisional Commissioner, Board of Revenue and Department of Personnel, Government of Rajasthan for taking such action as may be permissible in accordance with law, including recording of adverse advisory remark in his Annual Confidential Report (ACR)/APAR in view of the failure to discharge his judicial duties with due diligence and to focus and accord priority to the disposal of oldest pending cases.

V) The Registrar, Board of Revenue and the Collector of the concerned District shall monitor the progress of the aforesaid oldest pending case and ensure strict compliance of this order.

16. The Registry is directed to send a copy of this order forthwith to the Presiding Officer concerned; the Collector; the Divisional Commissioner; and the Chairman, Board of Revenue for compliance and necessary action.

17. List this matter for compliance on 18.12.2026.



18. With the aforesaid observations, the instant writ petition stands disposed of. Stay application and all pending application(s), if any, also stand disposed of.

19. Let a copy of this order be sent to Additional Chief Secretary, Department of Personnel, Government of Rajasthan; the Divisional Commissioner, Jaipur Division; the Collector Dausa; the Registrar Board of Revenue for information and necessary compliance of this order. They are directed to submit compliance report to this Court on or before before the next date.

20. Registrar, Board of Revenue is also directed to circulate a copy of this order amongst all the Presiding Officer, posted in all Revenue Courts in the State of Rajasthan.

(ANOOP KUMAR DHAND),J