

(2022) 04 RAJ CK 0120

In the Rajasthan High Court

Case No : D.B. Civil Writ Petition (PIL) No.6158 Of 2022

Dev Lal

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 26-04-2022

Acts Referred:

Citation : (2022) 04 RAJ CK 0120

Hon'ble Judges : Manindra Mohan Shrivastava, J; Sameer Jain, J

Bench : Division Bench

Advocate : Veerendra Singh Jakhar, Ashwani Chobisa

Final Decision : Disposed Of

Judgement

Instant Public Interest Litigation petition has been filed with the following prayer:-

"It is, therefore, prayed that this writ petition may kindly be allowed and this Hon'ble Court pleased to call for the entire record of the case and:

(a) by issuance of an appropriate writ, order or direction the respondents be directed to remove the encroachment from land of khasra No 458/242, 459/243 & 460/244 entered as gair mumkin school, 242, 243, 244, 245 & 246 entered as charagah land and khasra No 238 entered as Govt sivay chak land of village Manpura, patwar halka Khanpura, tehsil Nainwam district Bundi and ;

(b) by issuance of appropriate writ, order or direction if any pre-judicial order is passed during the pendency of the writ petitionk then same may also be set aside and ;

(c) Any other writ order or direction which may be deemed proper in the facts and circumstances of the case may also be issued in favour of petitioner."

A Division Bench of this Court in the matter of Jagdish Prashad Meena & Ors. Vs. State of Rajasthan & Ors., D.B. Civil Writ Petition (PIL) No. 10819/ 2018 vide order dated 30.01.2019 has directed creation of Public Land Protection Cell

(PLPC) for rural areas in every district.

Counsel for the petitioner submitted that he may be permitted to submit a representation before the PLPC and respondents be directed to dispose of the same within a period of two months.

In that view of the matter, the writ petition stands disposed off, in view of the directions issued by the Division Bench in the matter of Jagdish Prashad Meena (supra) and the petitioner is at liberty to make a representation before PLPC and the respondents are directed to decide the same within a period of two months.

It is further directed that in the inquiry for removal of encroachment, the persons, who are alleged to be encroachers, shall be afforded an opportunity of hearing.