
(2021) 07 RAJ CK 0006

In the Rajasthan High Court

Case No : D.B. Civil Writ Petition (PIL) No. 1481 Of 2018, D.B. Civil Writ Petition No. 14228 Of 2019, D.B. Civil Contempt Petition No. 67 Of 2020

Kunal Rawat And Others

APPELLANT

Vs

State Of Raj And Ors

RESPONDENT

Date of Decision : 23-07-2021

Acts Referred:

Citation : (2021) 07 RAJ CK 0006

Hon'ble Judges : Sangeet Lodha, J;Mahendar Kumar Goya, J

Bench : Division Bench

Advocate : Aradhana Swami, Neha Gyamlani, Aditya Jain, M.S. Singhvi, Siddhant Jain, Anil Mehta, Yashodhar Pandey, Ranveer Singh Mehta, Sandeep Pathak, Amit Kuri

Judgement

[D.B. Civil Writ Petition (PIL) No. 1481/2018]

This writ petition (PIL) is filed by the petitioner, an advocate by profession, seeking directions to the respondent No.4, the Chief Executive Officer,

Jaipur Nagar Nigam, Jaipur to fully equip the fire brigade office and give the training to all the concerned staff for protecting fire incidents. On

03.07.2019, a Coordinate Bench of this Court issued inter-alia following directions:

â??(vi) that the respondents shall furnish the particulars as to how many high-rise buildings having height of more than 32 meters, have been

permitted and/or constructed so far in the State. No new high-rise buildings with the height of more than 32 meters should be allowed to come up in

any of the cities till Arial Hydraulic Ladder Platform Equivalent to or more than, the height of the proposed building become available in Municipality

of the concerned City.â??

The applicant- Udaipur Builder's Association has filed an application for impleadment as party respondent in the writ petition, inasmuch as in

pursuance to the directions issued by this Court, the State Government has issued notification dated 26.11.2020 restraining the construction of building

beyond the height of 32 meters without approval of the State Government.

Learned counsel appearing for the applicant submits that merely because the State has failed to procure requisite equipment for protection of the high-

rise building from fire incident, the applicant and their likes engaged in construction of building, cannot be penalized.

Learned counsel submitted that the rights of applicant are adversely affected by the interim directions issued by this Court and therefore, the applicant

deserves to be impleaded as party respondent in the present petition.

Taking into consideration the issue raised in the PIL, the applicant cannot be considered to be a necessary or proper party in the matter.

Therefore, the application seeking impleadment is rejected.

However, the applicant is permitted to intervene in the matter.

[D.B. Civil Writ Petition No. 14228/2019]

Mr. Anil Mehta, learned Additional Advocate General seeks a week's time to furnish the details regarding status of procurement of necessary

equipments in terms of the directions issued by this Court.

The status report may be filed on behalf of the State within one week.

List the matter on 03.08.2021.

[D.B. Civil Contempt Petition No. 67/2020]

List the matter along with connected matters on 03.08.2021.