HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 733/2026

IN

S.B. Civil Writ Petition No.11043/2026
URN: SAW / 1559U / 2026

Kishan Chandel S/o Prabhu Lal Chandel, Aged About 44 Years, R/o 6, Maliyon Ka Mohalla, Mandi Khatikan, Near Chardarwaja, Tripoliya Bazar, Jaipur.

----Appellant

Versus

1. State Of Rajasthan, Through Secretary, Urban Development And Housing Department, Government Secretariat, Jaipur
2. Commissioner, Nagar Nigam Heritage, Jaipur Nagar Nigam, Jaipur.
3. Deputy Commissioner, Hawa Mahal Amer Zone, Nagar Nigam Heritage, Jaipur
4. Commissioner, Vigilance, Nagar Nigam Heritage, Jaipur.

----Respondents

For Appellant(s) : Mr. Sanjay Joshi.
For Respondent(s) :

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

09/07/2026

This appeal has been filed by the appellant challenging the order dated 03.07.2026 passed by the learned Single Judge in S.B. Civil Writ Petition No.11043/2026.

Counsel appearing on behalf of the appellant submitted that the respondents are not permitting the appellant to repair his shop, whereas other similarly situated persons have been allowed

to carry out such repairs and such action of the respondents amounts to hostile discrimination.

The learned Single Judge while dismissing the writ petition observed as under:-

> "7. This Court finds that for almost similar prayer, earlier writ petition was filed by the petitioner for seeking reconstruction of the shop in question, and during hearing of the said writ petition, since, it was brought to the knowledge of the Court that there was objection with regard to ownership of the petitioner in respect of shop in question, hence, directions were given to the respondent-authority to first decide the objections in the manner as directed vide order dated 18.04.2026.
>
> 8. As per petitioner, in compliance of order dated18.04.2026, representation has already been given to the petitioner on 24.04.2026.
>
> 9. Under these circumstances, for seeking similar relief, successive petition cannot be filed by the petitioner, whereas admittedly till this date objection with regard to ownership of the petitioner over plot in question has not been decided.
>
> 10. In view of above, this Court does not find any ground to interfere in the present successive petition filed by the petitioner and same is hereby dismissed.
>
> 11. However, it goes without saying that respondents are expected to make compliance of order dated 18.04.2026 passed by the Co-ordinate Bench of this Court in S.B. Civil Writ Petition No.19867/2025 in letter and spirit.
>
> 12. Pending application(s), if any, stand(s) dismissed."

After perusing the material available on record, we are of the considered view that the present writ petition, being a successive petition filed for the same cause of action, is not maintainable. We have also taken into consideration the fact that the learned Single

Judge has already issued appropriate directions for compliance with the order passed by this Court in the earlier writ petition preferred by the appellant-petitioner.

In view of the aforesaid, we are of the considered opinion that no case is made out warranting interference by this Court.

Accordingly, the appeal stands dismissed.

(SANDEEP TANEJA),J (INDERJEET SINGH),J

MG/20