HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Writ Miscellaneous Application No.336/2024

In

S.B. Civil Writ Petition No.14332/2024

1. Ratan Lal Meena S/o Sonya Meena, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
2. Moti Lal Meena S/o Nanag Ram Meena, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
3. Jagdish S/o Shyonarayan, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
4. Shrinarayan S/o Panna Lal Meena, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
5. Hemraj S/o Nanagram Meena, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
6. Chanda Lal S/o Shyoji, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.
7. Gokul Nath S/o Mangi Lal Nath, R/o Datooli, Tehsil Mitrapura, District Sawaimadhopur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Revenue, Govt. Of Rajasthan, Secretariat, Jaipur.
2. District Collector, Sawaimadhopur.
3. Sub-Divisional Officer, Bonli, District Sawaimadhopur.
4. Tehsildar, Tehsil Mitrapura, District Sawaimadhopur

----Respondents

For Petitioner(s) : Mr. Dinesh Yadav
For Respondent(s) : Mr. Tek Chand Sharma

JUSTICE ANOOP KUMAR DHAND

Order

03/12/2024

1. The instant misc. application has been submitted for extension of time to maintain status-quo as directed vide order dated 06.11.2024 passed by this Court while deciding writ petition submitted by the petitioner.

2. Learned counsel for the applicants submits that the S.B. Civil Writ Petition No.14332/2024 submitted by the petitioners was disposed of by this Court vide order dated 06.11.2024 by issuing direction to the Tehsildar, Mitrapura, District Sawai Madhopur to decide the representations/objections of the petitioners within a period of one month from the date of receipt of certified copy of this order, along with direction to the parties to maintain status quo for a period of one month.

3. Learned counsel submits that in pursuance of the aforesaid order dated 06.11.2024, the petitioners have approached the Court of Additional Collector, Sawai Madhopur but the Presiding Officer posted there has drawn an order sheet on 25.11.2024 that the Presiding Officer posted there has retired and no fresh appointment has been done on the said post so far. It has been noted in the order sheet that the Officer concerned is having only administrative charge and he is not having any judicial power to decide the stay application submitted by the petitioners, hence under these circumstances, the case is posted for further date i.e. 05.12.2024 for arguments on stay application.

4. Learned counsel submits that stay order with regard to maintaining status quo was operating for a period of one month only i.e. till 05.12.2024 and till date no fresh posting of Presiding Officer i.e. Additional District Magistrate has been done by the authorities concerned. Therefore, under these circumstances, the

duration of stay order passed by this Court vide order dated 06.11.2023 be extended for certain time.

5. Learned counsel for the respondents opposed the arguments raised by learned counsel for the applicants but he is not in a position to controvert the submissions made by learned counsel for the applicants.

6. Considering the arguments put forward by learned counsel for the applicants and looking to the overall facts and circumstances of the case and the order sheet dated 25.11.2024, the misc. application stands allowed for the reasons stated therein.

7. The interim order with regard to maintaining status-quo is extended further for a period of one month and the rest of the order would remain as it is.

8. It is expected from the State to post the Presiding Officer immediately so that stay application filed by the applicants can be disposed of on an earlier date.

(ANOOP KUMAR DHAND),J

Karan/20