HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 10117/2026
CNR: RJHC020542912026 | URN: CW / 22528U / 2026

1. Avinash Lamba Son Of Shri Banarasi Lamba, Aged About 34 Years, Resident Of B-Narayan Gate To Sirki Wale Hanuman Ji Road, Bharatpur, Rajasthan.
2. Alka Lamba Wife Of Shri Manoj Lamba, Aged About 45 Years, Resident Of B-Narayan Gate To Sirki Wale Hanuman Ji Road, Bharatpur, Rajasthan.

----Petitioners

Versus

1. Nagar Nigam, Bharatpur, Through Its Commissioner.
2. Officer-In-Charge, Encroachment Division, Nagar Nigam, Bharatpur

----Respondents

For Petitioner(s)	:	Mr. Anubhav Agarwal
For Respondent(s)	:	Mr. J.K. Moolchandani

HON'BLE MR. JUSTICE ANAND SHARMA

Order

30/10/2026

1. Learned counsels for both the parties jointly submitted that the issue involved in this writ petition has already been addressed by the Co-ordinate Bench of this Court in ***S.B. Civil Writ Petition No.16900/2026 (Pramod Kumar Goyal & Anr. Vs. Nagar Nigam Bharatpur)*** decided on 22.09.2026, wherein following observations and directions have been given:

> *"5. At the outset, Mr. J.K. Moolchandani, Advocate appearing on behalf of the respondent-Municipal Corporation, Bharatpur submits that the Corporation would not demolish the house of the petitioners provided that the petitioners have not encroached on a public land and they are having a valid title over the subject land. Counsel submits that the appropriate*

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> *acquisition proceedings would be initiated and accordingly, adequate compensation would be paid to the petitioners in accordance with law.*
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> *6. Considering the aforesaid undertaking so submitted by the counsel appearing on behalf of the respondent-Municipal Corporation, Bharatpur, all the instant writ petitions stand disposed of with the expectation from the respondent-Municipal Corporation, Bharatpur that in case the land in question is not found to be a public land and in case the petitioners are found to have a valid title over the land in question, any construction raised on the said land in question shall not be demolished without conducting the acquisition proceedings and without making appropriate payment of compensation to the petitioners."*

2. In view of the consensus arrived at between learned counsel for both the parties, this Court deems it just and proper to dispose of this writ petition in the same terms and with the same directions as given by Co-ordinate Bench of this Court in the case of ***Pramod Kumar Goyal (supra)***. It is made clear that even after consideration of the case of the petitioner, any action shall be taken by the respondents only after passing a speaking and reasoned order, which shall be communicated to the petitioner and, in case, the decision of the Competent Authority remains against the petitioner, then in that case, no further action shall shall be taken without issuing a fresh notice of 15 days.

3. Accordingly, the writ petition stands disposed of.

4. Pending application(s), if any, also stand(s) disposed of.

(ANAND SHARMA),J

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