

Kishan Lal Meean Vs State Of Rajasthan And Others

Court: Rajasthan High Court

Date of Decision: Feb. 23, 2024

Hon'ble Judges: Manindra Mohan Shrivastava, CJ; Munnuri Laxman, J

Bench: Division Bench

Advocate: Dev Krishna Gaur, Dr. Praveen Khandelwal

Final Decision: Disposed Of

Judgement

1. In the present public interest litigation, allegations of encroachments on public way have been made.

2. This Court has earlier directed the petitioner to bring on record by way of impleadment the names of those persons who are alleged to have made

encroachments. The list of persons proposed to be impleaded as encroachers contains names of as many as 94 persons.

3. Considering that there are allegations of vast encroachments on public way, the matter requires consideration by the appropriate authorities, who

are under an obligation to ensure that encroachments, if any, on the public land are removed. The allegations acquire seriousness as the road is said to

be State Highway No.39 connecting national highway.

4. A memo dated 28.06.2023 of the Assistant Engineer, Public Works Department, Sub-Division Jahajpur, Bhilwara has also informed the Village

Development Officer, Jahajpur regarding encroachments on the road.

5. Therefore, the allegations made by the petitioner require immediate action to identify encroachment over the public road and to take action for

removal of encroachments.

6. The Collector, Bhilwara is directed to cause proper enquiry made by the competent authority and take appropriate action. For immediate

compliance of the Court order, Sub-Divisional Officer, Jahajpur, Assistant Engineer, Public Works Department, Sub-Division Jahajpur, Development

Officer, Panchayat Samiti Jahajpur and Sarpanch, Gram Panchayat Shakkargarh shall provide full cooperation and assistance to the Collector for

ensuring removal of encroachments.

7. The proceedings should be completed within an outer limit of two months from the date of receipt of copy of this order.

8. The writ petition is accordingly disposed off.