

(2024) 03 RAJ CK 0029

Rajasthan High Court

Case No: Civil Writ Petition No. 17478 Of 2022, 8479 Of 2023

Mohan Lal Parihar And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision: March 5, 2024

Hon'ble Judges: Vinit Kumar Mathur, J

Bench: Single Bench

Advocate: Moti Singh, Ranjeet Joshi, Kapil Bissa, J.L. Purohit, Rajeev Purohit

Final Decision: Disposed Of

Judgement

Vinit Kumar Mathur, J

Heard learned counsel for the parties.

Since both the writ petitions are having common facts and arise out of a common cause of action, therefore, they are being disposed of by this common order.

The Writ Petition No.8479/2023 was filed with a prayer that the order dated 04.10.2022 (Annex.15) passed by the Sub Divisional Officer, Rani should be implemented, whereas, in the Writ Petition No.17478/2022, a prayer has been made for quashing the order dated 04.10.2022 passed by the respondent No.2- Sub Divisional Officer, Rani, District Pali.

Learned counsel for the parties are in agreement that after hearing the Counsel for the parties in both the writ petitions, this Court on 22.09.2023 passed the following orders:-

“For the reasons mentioned in the application (inward No.01/2023), the same is allowed and the name of applicant- Mohan Lal as mentioned in the application, is impleaded as party respondent.

List the matter on 20.11.2023.

In the meanwhile, both the parties are directed to appear before the Sub-divisional Officer, Rani, District Pali and after giving proper opportunity of hearing to both the parties, the Sub-divisional Officer, Rani, District Pali shall put his stand. Such stand shall be communicated to the AAG office, which shall be put before this Court on the next date.

Interim order, if any, to continue till the next date.”

In pursuance of the directions issued by this Court on 22.09.2023, the parties appeared before the Sub Divisional Officer, Rani, District Pali and applications as well as respective documents were placed before him. The Sub Divisional Officer, after hearing the parties and taking into consideration the material placed before him, passed an

order dated 08.12.2023.

Learned counsel for the parties are in agreement that the order dated 04.10.2022 passed by the Sub Divisional Officer, Rani has been merged into the order dated 08.12.2023 passed by the same Officer.

At this juncture, learned counsel for the respondent-Jaravi submits that respondent-Jaravi may be permitted to assail the validity of the order dated 08.12.2023 in accordance with law.

In view of the discussion made above, the writ petitions are disposed of with liberty to the counsel for respondent-Jaravi to take appropriate remedy available under law, if felt advised, to assail the validity of the order dated 08.12.2023.

In view of the disposal of these writ petitions, the interim order granted by this Court in S.B. Civil Writ Petition No.17478/2022 on 29.11.2022 stands vacated.

Needless to say that the authorities concerned shall act in accordance with law in pursuance of the directions issued by the Court of competent jurisdiction.