

Ajij Khan and ors. Vs. State and ors

Ajij Khan and ors. Vs. State and ors

SooperKanoon Citation : sooperkanoon.com/921937

Court : Rajasthan Jodhpur

Decided On : Oct-10-2011

Appellant : Ajij Khan and ors.

Respondent : State and ors

Judgement :

1

83 & 84 S.B. Civil Writ Petition No.6969/2011 Ajiz Khan & Ors. vs State of Rajasthan & Ors. S.B. Civil Writ Petition No.581/2011 Ajiz Khan & Ors. vs State of Rajasthan & Ors. DATE OF ORDER: 10th October 2011 HON'BLE MR. JUSTICE DINESH MAHESHWARI Mr. J.R. Beniwal, Sr. Advocate with Dr. Sachin Acharya and Mr. B.L. Choudhary, for the petitioners. ??>??>??>??>??> These two writ petitions, filed by the same set of petitioners, have been taken up for consideration together; and shall be governed by this common order. After having heard the learned counsel for the petitioners and having perused the material placed on record in these two writ petitions, so far CWP No.581/2011 in regard to the order dated 09.06.1999 as passed by the Board of Revenue in the reference proceedings is concerned, it is noticed that looking to the subject matter of the reference proceedings relating to the dispute between the State Government and the non-applicants, the Board of Revenue held that the rights sought to be claimed by the applicants (the present petitioners) could only be determined in separate

proceedings but not in the reference proceedings where the only question to be determined and adjudicated was in relation to the dispute about the alteration of

the revenue record. The observations was made by the Board of Revenue in relation to the petitioners cannot be said to be unjustified or suffering

2

from any jurisdictional error. Therefore, no case for interference in the order passed by the Board of Revenue at the instance of the petitioners is made out. Accordingly, this writ petition (CWP No.581/2011) stands rejected. However, having regard to the averments taken in the other writ petition i.e., CWP No.6969/2011 wherein it is alleged that the proceedings in the ceiling case against the private respondents after remand have not been concluded yet; and the representation as made by the petitioners has also not been decided by the Collector, let the notices be issued to the respondents to show cause as to why this writ petition (CWP No.6969/2011) be not admitted. A copy of this order be placed on the record of CWP No.581/2011. (DINESH MAHESHWARI), J. cpgoyal/-

3

84 S.B. Civil Writ Petition No.581/2011 Ajiz Khan & Ors. vs State of Rajasthan & Ors. DATE OF ORDER: 10th October 2011 HON'BLE MR. JUSTICE DINESH MAHESHWARI Mr. J.R. Beniwal, Sr. Advocate with Dr. Sachin Acharya and Mr. B.L. Choudhary, for the petitioners. ???>???>???>???>???>???> Vide common order made in S.B. Civil Writ Petition No.6969/2011 : Ajiz Khan & Ors. v. State of Rajasthan & Ors.

(DINESH MAHESHWARI), J. cpgoyal/-

???>

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com