



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
AT JODHPUR**

D.B. Civil Writ Petition No. 24852/2025  
CNR: RJHC011180352025 | URN: CW / 45116U / 2025

Seema Jan Kalyan Samitee (Rajasthan), Through Its Treasurer  
Mr. Hukmi Chand Dungarwal, Aged Around 59 Years, Having Its  
Registered Office At Jethwai Road, Kishanghat, District Jaisalmer.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Additional Chief Secretary, Department Of Colonization, Revenue Department, Secretariat, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Colonization Commissioner, Indra Gandhi Nahar Pariyojana, (Ignp) Bikaner, Rajasthan.
3. Assistant Colonization Commissioner (Ignp), Mohangarh No.1, District- Jaisalmer, Rajasthan.
4. Deputy Colonization Commissioner (Ignp), Nachna, District- Jaisalmer, Rajasthan.
5. Deputy Conservator Of Forest (Ignp), Stage Ii Jaisalmer, Myajlar Road, District Jaisalmer, Rajasthan.
6. Range Forest Officer Unit Ii, 1438 Rd, Mohangarh, Jaisalmer, Rajasthan.
7. Range Forest Officer, Unit I, 1251 Rd, Nachna, Jaisalmer, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Vikas  
For Respondent(s) : Mr. Rajesh Panwar, AAG with  
Mr. Ayush Gehlot and  
Mr. Rakesh Sharma  
Mr. Mahaveer Bishnoi, AAG with  
Mr. Harshwardhan Singh

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR  
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

**Order**

**28/10/2026**

Heard learned counsel for the parties.

2. The present writ petition has been filed with the following  
prayers:



**"10. RELIEF (S) PRAYED FOR: -**

*It is therefore most respectfully prayed that by an appropriate writ, order or directions, the respondents be directed to:*

- i) That the respondent colonization department may kindly be directed to remove all encroachments from the area falling under compulsory/optional strip of land as per the circulars/letters/communications, and/or,*
- ii) That the respondent colonization department may kindly be directed to replace/re-allot/cancel illegal allotment orders made within compulsory/optional strip of land and/or,*
- iii) That the respondent authorities may kindly be directed to notify the land along side the Indira Gandhi canal for compulsory/optional strip of land as done in district of Shri Ganganagar, Bikaner etc, and/or,*
- iv) That the respondent authorities may kindly be directed to remove encroachment/cancel allotment of all land parcel made in the planation area undertaken by the 128<sup>th</sup> Battalion (Ecological Task Force) in Gram Panchayat Mohangarh,*
- v) That respondent forest department may kindly be directed to take possession of the notified forest area and take punitive action on all such individuals who have cut/fell trees in contravention to the law,*
- vi) Any other appropriate writ, order or direction which this Hon'ble Court considers just and proper in the facts and circumstances of the present case, may kindly be passed in favour of the petitioner."*

3. Learned counsel submits that rampant encroachments had taken place on either side of the canal in question. He submits that the encroachers are occupying the lands *dehors* the provisions of law and therefore, they are required to be removed immediately.

4. The persons who are occupying the land on either side of the canal in question have filed an application for impleadment, however, nobody is present on behalf of them to press the application.





5. Learned Additional Advocate General, Mr. Rajesh Panwar submits before this Court that the competent authorities of the respondent-Department of colonization will examine the matter and after due inquiry and investigation, if it is found that the land belonging to the colonization department on either side of the canal in question is in occupation of encroachers and if any person is occupying such piece of land *dehors* the law then immediate and urgent steps will be taken to remove such persons from the encroached land.

6. Learned Additional Advocate General, Mr. Mahaveer Bishnoi, also submits that whatever help is required from Forest Department, the same will be extended by the State Government for removal of such encroachments.

7. In view of the statements made by two Additional Advocate Generals, learned counsel for the petitioner submits that the respondents may be granted a fixed time to take appropriate action for removing such encroachments.

8. Considering the submissions made before this Court and keeping in mind the fact that the precious land on the either side of the canal in question is in occupation of the trespassers, the matter is required to be dealt with urgently and immediately by the respondent-Departments for removal of the same and since both the learned Additional Advocate Generals have assured this Court that urgent and immediate action will be taken, the present writ petition is disposed of with the direction to the respondents to take immediate and urgent steps for identifying those encroachments on either side of the canal in question and if the authorities find that the either side of the said land is in



occupation of the encroachers then the recourse available under the law should be taken for removal of the those encroachments immediately after providing appropriate opportunity of hearing. The entire exercise of identifying and removal of the encroachment shall be done by the respondent-Departments within a period of four months from the date of receipt of certified copy of this order.

9. Although, the present writ petition is disposed of but both the learned Additional Advocate Generals shall file the compliance report before the Registry of this Court after four months.

**(CHANDRA SHEKHAR SHARMA),J      (VINIT KUMAR MATHUR),J**

Crt\_2 (2039)  
D-A/44  
Twinkle Singh