



HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

D.B. Civil Writ Petition No. 19427/2026
CNR: RJHC010822732026 | URN: CW / 33109U / 2026

Suo Moto, Structural Integrity, Safety And Imminent Peril To Human Lives Arising Fro The Central Dome And Allied Defects In The Building Of The Rajasthan High Court, Principal Seat, Jodhpur.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Chief Secretary, Government Of Rajasthan, Jaipur Raj.
2. The Principal Secretary, Public Works Department, Government Of Rajasthan, Jaipur Raj.
3. The Principal Secretary, Department Of Finance, Government Of Rajasthan, Jaipur Raj.
4. The Principal Secretary, Law And Legal Affairs Department, Government Of Rajasthan, Jaipur Raj.
5. The Union Of India, Through The Secretary, Department Of Justice, Ministry Of Law And Justice Government Of India, New Delhi.
6. The Rajasthan State Road Development And Construction Corporation Limited (Rsrdc), Through Its Managing Director, Rsrdc, Jhalana Doongri, Jaipur Raj.
7. The Director General Of Police, Rajasthan, Jaipur Raj.
8. The Registrar General, Rajasthan High Court, Jodhpur Raj.

-----Respondents

For Petitioner(s)	:	Mr. Anand Purohit, Sr. Advocate assisted by Mr. Kapil Purohit, Mr. Ranjeet Joshi, Adv. (President, RHC Advocates' Assn.) assisted by Mr. Kapil Bissa Mr. Manish Shishodia, Sr. Advocate assisted by Mr. Dipesh Birla, Mr. Dilip Singh Udawat, Adv. (President, RHC Lawyers' Assn.) Mr. Arun Kumar, Adv. (Secretary, RHC Lawyers' Assn.) Mr. Vikas Balia, Sr. Advocate (through VC) with Mr. Priyansh Arora Mr. Ankur Mathur Mr. Sheetal Kumbhat Mr. Suresh Kumbhat Mr. Anil Vyas Mr. Vijay Choudhary Mr. Vikas Bijarnia
For Respondent(s)	:	Mr. Rajendra Prasad, Advocate General assisted by Mr. Anirudh Singh Shekhawat



Mr. Rajesh Panwar, Sr. Adv./AAG assisted by
Mr. Ayush Gehlot and Mr. Rakesh Sharma
Dr. Sachin Acharya, Sr. Advocate assisted by
Mr. Chayan Bothra & Mr. Sarthak Asopa for the
High Court

Mr. N.S. Rajpurohit, AAG with
Ms. Aditi Sharma

Mr. Mahaveer Bishnoi, AAG assisted by
Mr. Harshwardhan Singh

Mr. B.L. Bhati, AAG assisted by

Mr. Deepak Chandak, Mr. Sukhdev Sharma,
Mr. Sandeep Soni and Ms. Sulochana Bishnoi

Mr. S.S. Rathore, AAG with
Ms. Mehali Mehta

Mr. Deepak Choudhary, AAG

Mr. Shyam Sundar Paliwal, Dy.S.G. with

Mr. Jogendra Singh

Mr. Mudit Vaishnav

Mr. Devki Nandan Vyas

Mr. Sudarshan Choudhary

Present in person : Mr. Rajeev Kumar Sharma, Director General of
Police
Mr. V.K. Singh, Addl. Director General of Police
Mr. Anshuman Bhomia, Commissioner of Police,
Jodhpur
Mr. Vaibhav Galaria, Finance Secretary
Mr. Praveen Gupta, Addl. Chief Secretary, PWD
Mr. C.S. Katara, Additional G.M. (Legal RSRDC)
Mr. Mookesh Bhati, Chief Engineer and
Additional Secretary, PWD
Mr. D.R. Meghwal, Secretary, PWD
Mr. Satyendra Singh, MD, RSRDC
Mr. Neeraj Jain, G.M., RSRDC
Mr. D.K. Gupta, CMP(II), RSRDC
Mr. Yogendra Sharma, DGM, RSRDC
Mr. Jitendra Chouhan, PD, RSRDC, Jodhpur

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

15/09/2026

In Writ Petition:

1. On 10.08.2026, this Court took cognizance of the structural condition of the building of the Rajasthan High Court, Principal Seat, Jodhpur, including the Central Dome (Approximately at a height of 21 metres) built and existing therein, which according to



the expert opinion of the Indian Institute of Technology, Bombay, is in a state of imminent collapse and may fall at any moment, thereby exposing the precious lives of all the stakeholders within the premises to grave and irreversible danger and damage.

2. Thereafter, the matter was heard on 24.08.2026. On that day, learned counsels, the officers and experts, present in person, have made elaborate submissions and informed this Court about the prominent position of the building and the efforts made till then. This Court has shown concern about the progress of investigation in the criminal case and directed expeditious restoration of the Court building, and directed to list the matter on 15.09.2026. This is how the matter comes up before this Court for hearing today.

3. Mr. Rajendra Prasad, learned Advocate General appearing for the State would submit that:

(i) Previously only an interim report from IIT Bombay was received. However, now the final report has been submitted vide letter dated 03.09.2026. The executive summary has been placed on record as Annex-18 at page 1087 highlighting the findings, which are as under:

(a) The existing building can be repaired to restore its structural strength with the recommended repair scheme, which is designed to extend the residual life of the building by at least 20 years.

(b) The repairs performance will depend on quality of execution and life of the selected repair, chemical materials and post rehabilitation maintenance.



(c) The report also provides for intermediate action plan and repair strategy along with long term maintenance plan, which has been divided into Dome's repair and repair of the other areas.

(d) The plan has been divided into phases. Phase-I is likely to be completed and it is expected that it will be over by 31.10.2026, which would cover an area measuring 11,000 Sq. Metres. The report also prioritizes the repairs based on criticality to be addressed.

- (ii) In remaining phases, the highly distressed area of 12,000 sq. metres has been identified and would be kept under Phase-II. The work of the said phase is likely to commence within 1 month and is supposed to be over in 12 months. The first part of Phase-III will cover 10,000 sq. metres of area identified as highly distressed and is likely to commence in 7th month and will be completed in 24th month. Similarly, 2nd part of Phase-III, which relates to preventive maintenance in 33,000 sq metres of area would be started and completed alongside the first part of Phase-III. Thus, the whole work is likely to be completed within 24 months.
- (iii) To strengthen the monitoring and inspection and regular supervision of work, 2 nodal officers, one from PWD and one from RSRDC have been appointed.
- (iv) Vide order dated 03.09.2026, 8 officers have been posted for daily, alternative day, weekly and fortnightly inspection and monitoring of the work.
- (v) On 05.09.2026, 4 officers of PWD have been transferred for taking care of continuous survey, supervision, inspection and



timely reporting of the ongoing work. On 11.09.2026, a dedicated team of 2 officers with additional teammates of officers posted on 05.09.2026 has also been constituted for the said work, which includes, Superintending Engineer and Executive Engineer. During the course of submissions, it has been suggested that these officers should not be from the persons, who were engaged earlier in the construction work. It has also been suggested that one senior officer should be posted exclusively for this work and should not be assigned any other work.

- (vi) This Court desired sanction of Rs.1.5 crores for preparation of DPR for extended court building for 50 court rooms extendable to 10 more court rooms, for which financial sanction has been granted vide order dated 11.09.2026.
- (vii) Debarment orders have also been passed against contractors.
- (viii) It has already been intimated that the charge sheets have been given for imposition of major penalties to the public servants and it is expected that the enquiry will be completed within a month or two after giving appropriate opportunity of hearing.
- (ix) As to estimated cost of rehabilitation work, i.e., Rs.117.65 crores, Rs.27.41 crores were sanctioned for Phase-I, Rs.30.24 crores have been sanctioned for Phase-II. The remaining Rs.60.00 crores is likely to be incurred in Phase-III is under process of being sanctioned.
- (x) It has been informed that the restoration work is being carried out under vetting and supervision of the expert



bodies like IIT Bombay, IIT Jodhpur and independent consultant as per the methodology suggested by the expert bodies.

(xi) As to the building of lawyers' chambers and Advocate General office, the matter has been separately taken up with IIT Bombay, which has given its proposal on 09.09.2026 and the same has been considered by the Government and has been accepted and conveyed to IIT Bombay.

(xii) It has been submitted that the rehabilitation work is being carried out by experts with suggested and vetted methodology and is expected to be completed within the suggested timelines.

4. With respect to criminal case, learned Advocate General would submit that a detailed status report has been submitted with regard to investigation in the criminal case. The Police Commissioner, Jodhpur informed the Court about the methodology and progress already made and the DGP, Rajasthan also informed this Court about the review of actions made by him and informed that Shri V.K.Singh, ADG, who happens to be a Civil Engineer also, is to be put for supervision of the investigation and every effort will be made for ensuring effective and timely investigation in the matter.

5. The aforesaid submissions are taken on record.

6. Mr. Sachin Acharya, learned Senior Advocate appearing for the High Court would submit that:

(i) In the Structural Rehabilitation Report submitted by IIT, Mumbai, as part of the Executive Summary, the following has been stated:-





"In view of the observation that nearly 40% of the building requires urgent/immediate attention, a priority-wise rehabilitation programme should be implemented for all such areas. The remaining 60% of the area should also be repaired, and appropriate precautionary measures undertaken, to prevent or delay the development of similar distress and deterioration in these areas.

A periodic inspection as recommended in the long-term maintenance plan, along with the routine maintenance, should be carried out to keep the building dry at all times."

Furthermore, the affidavit submitted by Mr. Devendra Kumar Gupta, Chief Project Manager-II, RSRDC, Jaipur, at point no.20, indicates:

"20. That it is respectfully submitted that based on the suggestions of IITs and the proposed construction schedule, the estimated cost of repair and rehabilitation of the main building of the Hon'ble Rajasthan High Court is **approximately Rs. 117.65 Crore**. Out of which, Rs. 27.41 Crore has already been sanctioned for Phase-I and Rs. 30.24 Crore has been sanctioned for Phase-II. For Phase-III (Parts A and B), the estimated cost is approximately Rs. 60 Crore, for which sanction is being processed. The entire rehabilitation work is expected to be completed within approximately 24 months from the commencement of Phase-II, subject to the technical requirements, availability of resources and other necessary approvals. It is submitted **that the main High Court Building does not include the Advocates' Chambers, the AG-AAG Building or any other building or portion of the High Court premises.**"

Therefore, it is manifest that while the original budget for the construction of the New High Court Building, Jhalamand, Jodhpur was approximately Rs 220 Crores, the estimated cost for repair and rehabilitation of the main building of the Hon'ble Rajasthan High Court is approximately Rs. 117.65 Crore which does not even include the Advocates' Chambers, the AG-AAG Building or any other building or portion of the High Court premises. There is no doubt to the proposition that the repair and rehabilitation cost of the building will cross more than



50% of the total budget of construction which may not be permissible in view of the provisions contained in Volume No. 2, Part 7 of the National Building Code, 2016.

(ii) Be that as it may, in the interest of focused and continuous monitoring of the repair and maintenance activities being conducted at the High Court Premises, it would be expedient if:-

- A dedicated team be permanently deputed at the High Court which comprises of officers above the cadre of Superintending Engineer and is headed by an officer of the cadre of Chief Engineer.
- Furthermore, the officers of such dedicated team must be appointed on the full time basis and must not be given any other additional duties so that they may exclusively focus on the repair and maintenance works going on in the High Court.
- In order to ensure that the repair works are impartially undertaken and with a fresh and open perspective, the dedicated team must only be comprised of officers who have previously not been associated with the construction activity at the New High Court Building, Jhalamand, Jodhpur.

7. Learned Senior Advocate appearing for the High Court would further submit that for various projects, apart from the High Court building, funds and land are not being provided by the State Government.

8. After hearing learned Advocate General appearing for the State and learned Senior Advocate appearing for the High Court, it is necessary to remind the Government that the judiciary is one of the three essential pillars of our constitutional democracy and cannot be treated merely as an ordinary Government Department for the purpose of providing infrastructure and other administrative facilities. The administration of justice is an essential sovereign and constitutional function of the State.





Adequate judicial infrastructure, therefore, is not a matter of executive discretion, administrative largesse, or governmental favour; rather, it is an institutional necessity flowing from the constitutional obligation to ensure effective access to justice and meaningful protection of the rights guaranteed under Article 21 of the Constitution.

9. The Hon'ble Supreme Court, particularly in the **All India Judges' Association** proceedings, has repeatedly emphasised the necessity of providing adequate infrastructure, proper working conditions, residential facilities, courtrooms, staff and other administrative resources necessary for the effective functioning of the judiciary. The Court has recognised that the quality and efficiency of the justice-delivery system cannot be ensured unless the judicial institution is provided with adequate financial and infrastructural support. Financial considerations, while relevant to public administration, cannot be used as a justification for perpetually denying or inadequately providing the basic facilities necessary for the proper discharge of judicial functions and for ensuring access to justice.

10. Judicial infrastructure must, therefore, be viewed not as an item of governmental expenditure bestowed upon the judiciary at the discretion of the executive, but as an essential constitutional requirement for the proper functioning of the justice-delivery system. The dignity, independence and effectiveness of the judiciary necessarily require that adequate financial, infrastructural and administrative resources be made available so that courts are able to discharge their constitutional



responsibilities efficiently and citizens are able to obtain timely and meaningful justice.

11. In view of the aforesaid, particularly keeping in mind the present condition of the building of the Rajasthan High Court, Jodhpur, we direct the State functionaries for taking necessary action for immediate steps to complete the restoration work and process the proposal of construction of 50 + 10 new Court-rooms adjoining to the High Court Building in Jodhpur, as discussed hereinabove in this order. It is expected that the State functionaries will take up the matter to its logical conclusion, while dealing with the erring officials expeditiously, in accordance with law.

12. For the reasons mentioned, personal presence of the Chief Secretary is dispensed with for 15.09.2026 and personal presence of other officers is also dispensed with for 05.10.2026.

13. List the writ petition on 05.10.2026.

In Civil Misc. Application No.04/2026:

14. Admit.

15. Issue notice.

16. Mr. Deepak Choudhary, learned Additional Advocate General accepts notice on behalf of the respondents and prays for time to file reply.

17. List this application on 17.09.2026.

(VINIT KUMAR MATHUR),J

(SANJAY K. AGRAWAL),CJ

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