



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

S.B. Civil Writ Petition No. 23268/2026
CNR: RJHC010958632026 | URN: CW / 40168U / 2026



1. Legal Representatives Of Prabhu Lal S/o Narayan Lal, As Under, Through Lrs.
1/1 Ram Lal S/o Late Prabhu Lal, aged 48 years,
1/2 Sita D/o Late Prabhu Lal, aged 45 years,
1/3 Lila D/o Late Prabhu Lal, aged 43 years,
 2. Legal representatives of Sohan Lal S/o Narayan Lal as under:-
2/1 Dinesh S/o Sohan Lal, aged about 45 Years,
2/2 Kanchan D/o Sohan Lal, aged about 40 Years,
2/3 Mani Bai W/o Sohan Lal, aged about 65 Years,
 3. Bala Ram S/o Chani Lal, aged about 60 Years,
 4. Ujayanta D/o Chani Lal, aged about 50 Years
 5. Alita D/o Chani Lal, aged about 45 Years,
 6. Dhapu D/o Chani Lal, aged about 40 Years,
 7. Aijan W/o Chani Lal, aged about 70 Years,
- All by caste Jat, R/o Bada Naya Goav, Tehsil Bijoliya, District Bhilwara.

---Petitioners

Versus

1. State Of Rajasthan, Through Tehsildar Tehsil Bijoliya, District Bhilwara.
2. Sohan Lal S/o Prabhu Lal, R/o Village Keshuvilas, Tehsil Bijoliya, District Bhilwara.
3. Smt. Parvati Devi W/o Roop Singh, R/o Village Bijoliya, Tehsil Bijoliya, District Bhilwara.

----Respondents

For Petitioner(s) : Mr. Manohar Singh Rathore

HON'BLE DR. JUSTICE NUPUR BHATI
Order

15/10/2026

1. This writ petition has been filed by the petitioners with the following reliefs:-



"i. The Hon'ble court quashed and set aside the impugned order dated 04.02.2026 (Anx.8) passed by Board of Revenue, Rajasthan Ajmer.

ii. That the Hon'ble court allowed the application as prayer under Order 1 Rule 10 read with section 151 of CPC filed by the petitioners/applicants.

Any, other writ order or direction which this Hon'ble Court deem just and proper in the facts and circumstances of the case may kindly be issued in favour of the petitioner."

2. Brief facts of the case are that the petitioners claim rights over agricultural land situated at Village Kesuvilas, Tehsil Bijoliya, District Bhilwara, recorded of Khasra No. 422/177, measuring 3 Bighas, which was originally allotted to Shambhu Singh on 20.12.1985 and subsequently sold to the petitioners' fathers, who became its khatedars. It is stated that a separate parcel of land measuring 3 Bighas in Khasra No. 462/177 was allotted to Sohan Teli, whose khatedari rights were subsequently recorded and who later sold the land to respondent No.3 Parvati. On an application filed by the Tehsildar, Bijoliya, the Additional District Collector, Bhilwara, vide order dated 26.04.2008, cancelled the allotment in question and also directed the concerned Tehsildar to initiate proceedings for cancellation of the allotment relating to the petitioners' land, despite the petitioners not being parties to the proceedings. The said order was set aside by the Revenue Appellate Authority, Bhilwara, vide order dated 21.05.2008, against which the State Government preferred a second appeal before the Board of Revenue, Rajasthan, Ajmer. During the pendency of the second appeal, the petitioners, upon acquiring knowledge of the earlier proceedings, moved an application under Order I Rule 10 read with Section 151 CPC seeking impleadment as parties; however, the Board of Revenue dismissed the said



application vide impugned order dated 04.02.2026. Aggrieved thereby, the petitioners have preferred the present writ petition.

3. Learned counsel for the petitioners submits that the Board of Revenue has committed a grave error of law in passing the impugned order dated 04.02.2026 (Annex.-8), whereby the petitioners' application for impleadment as parties to the pending second appeal was dismissed. He also submits that the order dated 26.04.2008 (Annex.-3) passed by the Additional District Collector, Bhilwara, not only dealt with the allotment in question but also directed the concerned Tehsildar to initiate proceedings for cancellation of the allotment of the petitioners' land, thereby directly affecting their rights and interests. He further submits that the petitioners were neither impleaded as parties nor afforded any opportunity of hearing before passing of the said order, which is in violation of the principles of natural justice. He further submits that, having acquired knowledge of the pending second appeal preferred by the State Government against the order dated 21.05.2008 passed by the Revenue Appellate Authority, Bhilwara, the petitioners promptly moved an application under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, seeking impleadment as parties, as the outcome of the appeal would directly affect their rights in the land in question, however, the Board of Revenue dismissed the application without duly appreciating the petitioners' interest in the subject matter and the consequences of the pending proceedings.

4. Learned counsel for the petitioners submits that the application was dismissed after taking into consideration the objections raised by respondent No.3, Parvati, despite the





petitioners' claim that their presence was necessary for the effective and complete adjudication of the dispute. It is, therefore, contended that the impugned order dated 04.02.2026 is arbitrary, contrary to law, and violative of the principles of natural justice, and deserves to be quashed and set aside.

4. Heard and the material available on record has been perused.

5. Having heard learned counsel for the petitioners and upon careful consideration of the material available on record, this Court finds that the Board of Revenue has rightly rejected the petitioners' application for impleadment under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, 1908, as the petitioners failed to place on record any cogent documentary evidence establishing their right, title, or legally enforceable interest in the disputed land bearing Khasra No. 462/177, measuring 3 Bighas, which is the subject matter of the pending second appeal. The mere assertion that the outcome of the pending appeal may affect the petitioners' interests, or the pendency of separate revenue proceedings concerning the land, cannot, in the absence of a demonstrable legal interest in the subject matter of the appeal, constitute sufficient grounds for their impleadment as necessary or proper parties. The Board of Revenue has duly considered the rival submissions and the material placed before it and has applied the principles governing impleadment as laid down by the Hon'ble Supreme Court in *Kasturi v. Iyyamperumal*, (2005) 6 SCC 733, and *Sumtibai v. Paras Finance Co.*, (2007) 10 SCC 82.



6. This Court further observes that the scope of the present proceedings is confined to examining the legality and propriety of the impugned order dated 04.02.2026 (Annex.-8), and no material has been brought to its notice to establish that the Board of Revenue has committed any jurisdictional error, perversity, or manifest illegality warranting interference in the exercise of writ jurisdiction under Article 226 of the Constitution of India. Accordingly, this Court finds no ground to interfere with the impugned order dated 04.02.2026 passed by the Board of Revenue. The writ petition, being devoid of merit, is hereby dismissed.

(DR.NUPUR BHATI),J

Crt_10 (1838)
D-A/71
Surbhi Sharma