RAJASTHAN HIGH COURT
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HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

D.B. Civil Writ Petition No. 23373/2026
CNR: RJHC010963942026 | URN: CW / 40317U / 2026

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1. Mangi Lal Solanki S/o Shri Dungar Singh, Aged About 57 Years, R/o Talariya Para, District Jaisalmer, Rajasthan.
2. Tanerav Singh S/o Shri Kilan Singh, Aged About 49 Years, R/o Village Poonam Nagar, Tehsil And District Jaisalmer, Rajasthan.
3. Jitendra Singh Bhati S/o Lakh Singh Bhati, Aged About 50 Years, R/o Habur, Poonam Nagarm Jaisalmer, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through The Principal Secretary, Public Work Department, Jaipur, Rajasthan.
2. District Collector, Jaisalmer, Rajasthan.
3. Commissioner, Municipal Council, Jaisalmer, Rajasthan,
4. Administrator, Municipal Council, Jaisalmer, Rajasthan.
5. Principal, Amar Shahid Sagarmal Gopa Government Senior Secondary School, Jaisalmer, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. M.S. Rathore
For Respondent(s)	:	Mr. I.R. Choudhary, AAG with Mr. Pawan Bharti Mr. Ayush Gehlot for Mr. Rajesh Panwar, Sr. Adv. & AAG

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

Order

28/10/2026

1. Heard learned counsel for the parties.

2. The present public interest litigation has been filed with the following prayers:-

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"A. By an appropriate writ crder or direction, this writ petitior. may kindly be allowed and the Notification dated 17.02.2026 (Annex.11), wherein RFP has been invited for the work of 'Development of Car Parking and Commercial Complex on DBFOT basis on PPP model at the Shahid Poonam Singh Stadium, Jaisalmer, from the experienced and technically eligible consultants, may kindly be quashed and set-aside.

B. By an appropriate writ order or direction, the respondent authority may kindly be restrained from developing a Multi-Level Car Parking and Commercial the Shahid Poonam Singh Complex at Stadium, Jaisalmer.

C. By an appropriate writ order or direction, the Notification dated 09.10.2025 (Annex.08), whereir. EOI has been invited for the work of 'Proposal for Feasibility Study and Transaction Advisory for the Development of a Multi- Level Car Parking and Commercial Complex at the Shahid Poonam Singh Stadium, Jaisalmer, Rajasthan' from the experienced and technically eligible consultants, may kindly be quashed and set-aside.

D. By an appropriate writ crder or direction, any tender/subsequent work order issued for the purpose of developing a Multi-Level Car Parking and Commercial Complex at the Shahid Poonam Singh Stadium, Jaisalmer, may kindly be quashed and set-aside.

E. By an appropriate writ order or direction, any order creating third party rights for the purpose of development of multi-level car parking and Commercial Complex at the Shahid Poonam Singh Stadium, Jaisalmer, or any subsequent work order for the purpose of development of multi-level car parking and Commercial Complex at the Shahid Poonam Singh Stadium, Jaisalmer, may kindly be quashed and set-aside.

F. By an appropriate writ order or direction, the respondent authority may kindly be directed to develop the Multi- Level Car Parking and Commercial Complex at an alternate location instead of developing it at the Shahid Poonam Singh Stadium, Jaisalmer.

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G. Alternatively, by an appropriate writ order or direction, the Notification dated 17.02.2026 (Annex.11), wherein RFP have been invited for the work of 'Development of Car Parking and Commercial Complex on DBFOT basis on PPP model at the Shahid Poonam Singh Stadium, Jaisalmer,' from the experienced and technically eligible consultants, may kindly be quashed and set aside and the respondent authority may kindly be directed to decide the representation filed by the petitioners in accordance with the law."

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3. Learned counsel for the petitioners submits that multi-level car parking and commercial complex are being developed in the vicinity of Shahid Poonam Singh Stadium, Jaisalmer and on account of construction of building thereof, the sports activities in the said Stadium shall be hampered. He, therefore, prays that the construction of multi-level car parking and commercial complex in Shahid Poonam Singh Stadium, Jaisalmer may be directed to be stopped forthwith.

4. *Per contra*, learned Additional Advocate General appearing for the respondents submits that in the earlier round of litigation, almost the same prayer to stop the construction of the arena with commercial use in the nearby vicinity was made in ***D.B. Civil Writ Petition (PIL) No.11713/2012 (Mangi Lal Solanki & Anr. Vs. State of Rajasthan & Ors.***) and the said petition was disposed of vide order dated 11.09.2013. He further submits that due to non-compliance of the directions issued in the order dated 11.09.2013, a contempt petition being ***D.B. Writ Contempt No.228/2026 (Mangi Lal & Anr. Vs. Shri Praveen Gupta & Ors.)*** has already been filed by the same petitioner. The said contempt petition was also disposed by a co-ordinate Bench of the

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Court vide order dated 24.03.2026. In the order dated 24.03.2026, the commercial activities and car parking facilities which is going to be provided by the respondents have been held to be valid by this Court and, therefore, the respondents have started construction work of the commercial complex near the Shahid Poonam Singh Stadium, Jaisalmer. He, therefore, prays that since the Division Bench has already validated the aforesaid construction activity by the respondents, therefore, the relief prayed for in the present public interest litigation may not be granted.

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5. We have considered the submissions made at the Bar and we note that in the earlier round of litigation, the same petitioner approached this Court by way of filing a petition being ***D.B. Civil Writ Petition (PIL) No.11713/2012 (Mangi Lal Solanki & Anr. Vs. State of Rajasthan & Ors.***) with a prayer to stop the construction work of the arena with commercial use and the said petition was disposed of vide order dated 11.09.2013 by this Court. Since, the directions issued in order dated 11.09.2013 were not allegedly complied with, the petitioner filed a contempt petition before this Court being ***D.B. Writ Contempt No.228/2026 (Mangi Lal & Anr. Vs. Shri Praveen Gupta & Ors.)*** and the Co-ordinate Bench of this Court vide order dated 24.03.2026 disposed of the same, while observing as under:-

> *"6. In the aforesaid back drop, heard and perused the file.*
>
> *7. Having regard to the contents of the compliance report filed in response to the petition, we are of the view that the proposed construction of a building for parking approximately 400 vehicles on land forming part of the*

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stadium does not alter the nature of the stadium. Although one floor of the proposed four-storey structure is earmarked for commercial use, it is stated that the same forms part of a public-private partnership arrangement, with the revenue generated being utilized for the maintenance of the parking facility. The proposed parking facility is also likely to decongest the surrounding roads, where adequate parking is presently lacking.

8. Apart from the above, the facility would also support and facilitate the activities of the stadium, where various sporting events are conducted.

9. It appears that the apprehension of the petitioner regarding deliberate violation of this Court's order dated 11.09.2013 (Annexure C/2), which prohibits any change in the nature of the stadium, is/was unfounded."

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6. A bare perusal of the same goes to show that the construction activities undertaken by the respondents have been held to be valid by a Co-ordinate Bench of this Court, therefore, no directions contrary to the same can be issued in the present writ petition.

7. Accordingly, the present writ petition is dismissed being devoid of any force.

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

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