


HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 893/2026

1. Toshif Ali Varsi S/o Shri Manjoor Ali Varsi, Aged About 30 Years, Resident Of Near Government Senior Secondary School, Shop, Tonk, Rajasthan.
2. Hanuman Prasad S/o Shri Gangaram Bairwa, Resident Of Dehlanpura, Payga, P/o Payga, District Tonk, Rajasthan.
3. Jahid Ali Wasi S/o Shri Chite Miya @ Shahdik Ali, Resident Of Ward No. 10, Tapra, Shop, Tehsil, Uniara, District Tonk, Rajasthan.
4. Rajesh Gurjar S/o Shri Bheru Lal Gurjar, Resident Of Bairwa Dhani, Shop, Tonk, Rajasthan.
5. Rakesh Bairwa S/o Shri Chhaju Lal Bairwa, Resident Of House No. 227, Luharo Ka Mohalla, Shop, Tonk, Rajasthan.
6. Juned Ali Warsi, S/o Shri Jahid Ali Warsi, Resident Of Bairwa Dhani, Shop, Tonk, Rajasthan.
7. Munir Miyan S/o Shri Shabbir Miyan, Resident Of Shekho Ki Gali, Main Bazar, Shop, Tonk, Rajasthan.
8. Sonu Bairwa S/o Shri Kamlesh Bairwa, Resident Of Shop, Tonk, Rajasthan.
9. Sartaj Ali S/o Shri Gaffar Shah, Resident Of Ward No. 1, Shop, Tonk, Rajasthan.
10. Ghasi Khan S/o Shri Bashir Khan, Resident Of Ward No. 1, Shop, Tonk, Rajasthan.
11. Khurshid Ali S/o Shri Sher Ali, Resident Of Shop, Tonk, Rajasthan.
12. Ansar S/o Shri Nisar, Resident Of Shop, District Tonk, Rajasthan.

-----Petitioners

Versus

1. The Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur, Rajasthan.
2. The Principal Secretary, Department Of Revenue, Government Secretariat, Jaipur, Rajasthan.
3. The District Collector, Tonk, Collector Office Tonk, Rajasthan.

4. The Sub Division Officer, Sub Division Uniara, District Tonk, Rajasthan.
5. The Tehsildar Aligarh, Tehsil Aligarh, District Tonk, Rajasthan.
6. Chief Medical Officer, Government Ayurved Hospital Tonk, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Anil Kumar Yadav
For Respondent(s) : Mr. G.S. Gill, AAG with
Ms. Shikha Sharma, AAAG
Ms. Swati Thory

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

12/03/2026

1. The instant writ petition has been preferred by the petitioners claiming the following prayer :-

"i. To quash and set aside the order dated 18.08.2025, whereby Sivay Chak land admeasuring 0.15 Hectare, recorded in Khasra No.2872, situated at Village Shop, Tehsil Aligarh, District Tonk, has been illegally and arbitrarily allotted to the Government Ayurved Hospital for construction of an Ayurved Hospital / Dispensary (Aushdhalya);

ii. Direct the respondent authorities to maintain and preserve the natural flow, catchment area, and drainage system of Gomati Talab (bandh) and to take all necessary measures for protection of the pond, grazing land, and surrounding ecology ;

iii. To direct the respondent authorities to identify and allot an alternative suitable parcel of land for construction of the proposed Government Ayurved Hospital, strictly in accordance with law and after due consideration of Gram Panchayat resolution, environmental feasibility, and public interest ; "

2. At the threshold, Mr. G.S. Gill, learned Additional Advocate General appearing for the respondent-State, submits that the Sivay Chak land in question has been allotted in accordance with law for the construction of the Government Ayurved Hospital and, therefore, there is no illegality in the allotment.

2. Learned counsel for the petitioners is unable to point out from the record or produce any material to show that the land bearing Khasra No. 2872, situated at Village Shop, Tehsil Aligarh, District Tonk, forms part of any water flow, catchment area, drainage system, or that it is otherwise protected as pond/grazing land or ecologically sensitive area.

3. In light of the submissions made by the learned Additional Advocate General and in the absence of any cogent material by the petitioners to substantiate their claim of illegality or arbitrariness, no case for interference is made out in the present writ petition.

4. Consequently, the present writ petition is dismissed.

(VINIT KUMAR MATHUR),J

(DR. PUSHPENDRA SINGH BHATI),J