



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

S.B. Civil Writ Petition No. 2063/2026

Fateh Mohammed S/o Shri Azam Khan, Aged About 45 Years,
Resident Of Achalgarh, Tehsil Aburoad, District Sirohi.

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Devsthan Department, Govt. Of Rajasthan, Secretariat, Jaipur.
2. The Commissioner, Devsthan Department, Udaipur.
3. The District Collector, Sirohi.
4. The Secretary, Shri Devsthan Board, Sirohi.

----Respondents

For Petitioner(s) : Mr. Sravan Kumar Sainee
For Respondent(s) : -

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

02/02/2026

By way of filing the present civil writ petition, the petitioner has prayed for the following reliefs:-

"It is, therefore, most humbly and respectfully prayed that this writ petition may kindly be allowed and by an appropriate writ, order or direction:

(i) The impugned notice dated 16.01.2026 (Ann.2) issued by the respondent no. 4 may kindly be declared highly arbitrary, unjust and same may kindly be quashed and set aside.

(i) The respondents may kindly be restrained from evicting the petitioner from his temporary structure of shop in any manner.

(iii) Any other appropriate writ, order or direction which this Hon'ble Court deems just and proper may kindly be passed in favour of the petitioners."

2. The petitioner has challenged the notice issued under the seal and signature of the Secretary, Shri Devasthan Board, Sirohi, on the ground that he has been carrying on a small business in



close vicinity of Shri Sarneshwar Temple for more than 40 years to earn his livelihood.

3. According to learned counsel for the petitioner, if the impugned notice issued by the Secretary, Shri Devasthan Board, Sirohi is allowed to be executed, the same would cause severe financial hardship and mental agony to the petitioner; therefore, the impugned notice deserves to be set aside. Upon a specific query made by this Court as to whether the petitioner is in possession of any permission granted by Shri Devasthan Board, Sirohi—which is maintaining Shri Sarneshwar Mahadev Temple—or by any other competent authority, learned counsel for the petitioner was unable to furnish any reply.

4. In view of the aforesaid, this Court prima facie finds that the petitioner has encroached upon the property belonging to Shri Devasthan Board, Sirohi. The Shri Devasthan Board, Sirohi is, therefore, well within its rights to initiate appropriate proceedings for removal of such encroachment from the temple property for the benefit of the devotees visiting the temple, who otherwise face inconvenience in smooth movement and access due to such unauthorized occupation by private individuals.

5. In that view of the matter, this Court finds no merit in the present writ petition, and the same is accordingly dismissed.

6. Stay petition stand disposed of.

(KULDEEP MATHUR),J

80-divya/-