



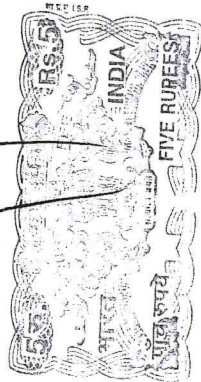
राजस्थान उच्च न्यायालय, जयपुर

Certified Copy of Order Dated...

12/3/26 13957
10/3/26

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

D.B. CIVIL WRIT (PIL) PETITION NO. 4796/2026



GRAM PANCHAYAT SORSAN, PANCHAYAT SAMITI ANTA,
DISTRICT BARAN THROUGH ITS SARPANCH MADHU SADAN
SINGH S/O DHANOP SINGH R/O 11-A KESHAV VIHAR VISTAR,
GOPALPURA BAIPASS, DURGAPURA, JAIPUR, RAJASTHAN
(302018) (Mobile No.9001770095).

(PETITIONER)

VERSUS

1. THE STATE OF RAJASTHAN THROUGH PRINCIPAL SECRETARY, DEAPRTMENT OF RURAL DEVELOPMENT AND PANCHAYATI RAJ, SECRETARIAT, JAIPUR, RAJASTHAN (302005).
2. THE DIRECTOR, DEPARTMENT OF FISHERIES, PASHUDHAN BHAWAN, TONK ROAD, JAIPUR, RAJASTHAN (302015).
3. OFFICE OF FISHERIES DEVELOPMENT OFFICER, THROUGH THE DEVELOPMENT OFFICER, BARAN, RAJASTHAN (325205).
4. DISTRICT COLLECTOR, BARAN, RAJASTHAN (325205).

(RESPONDENTS)

D.B. CIVIL WRIT PETITION(PIL) UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA READ WITH ARTICLE 14, 21,

SAJJAN KUMAR MEHTA

40, 243G AND THE ELEVENTH SCHEDULE ALONG WITH
CHAPTER XXII-A RULE 385-A TO 385-R OF THE RAJASTHAN
HIGH COURT RULES, 1952.

AND

IN THE MATTER OF ILLEGAL ACQUISITION OF VILLAGE
PONDS OF GRAM PANCHAYAT SORSAN BY THE
RESPONDENTS THROUGH LETTER DATED 27.08.2025;

AND

IN THE MATTER OF PROTECTION OF LIVELIHOOD OF
ABOUT 1200 FAMILIES DEPENDENT UPON PONDS;

AND

IN THE MATTER OF PRINCIPLE OF EQUITY AND FAIR
PLAY AND NATURAL JUSTICE;

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ (PIL) Petition No. 4796/2026

Gram Panchayat Sorsan

----Petitioner

Versus

The State Of Rajasthan and Ors.

----Respondents

For Petitioner(s)	:	Ms. Priyanshi Jaiswal on behalf of Mr. Sandeep Singh Shekhawat
For Respondent(s)	:	Mr. Prateek Saxena, AAAG with Mr. Ashutosh Udawat & Ms. Anshu Ranga

**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

Order

17/03/2026

One of the contentions raised by the learned counsel for the petitioner is that the order impugned dated 27.08.2025 has been passed by the Rural Development and Panchayati Raj Department, whereby the ponds, which were under the control of the concerned Panchayat, have been shifted back to the Fisheries Department of the State.

Learned counsel submits that such order is contrary to the provisions of Article 243G and Schedule-11 of the Constitution of India, whereby certain functions being performed by the State Government were transferred and brought under the control of the Rural Development and Panchayati Raj Department.

Learned counsel submits that the said department has no authority to issue orders transferring the ponds, which were under the control of the local Panchayat to the State Government.

Issue notice to the respondents.

Mr. Prateek Saxena, learned counsel enters appearance and takes notice on behalf of State. He wants time to take instructions and file reply.

List after four weeks.

In the meanwhile and until further orders, effect and operation of the order dated 27.08.2025 shall remain stayed and the water bodies under the control of the Panchayat shall continue to remain under its control.

(BALJINDER SINGH SANDHU), J

(SANJEEV PRAKASH SHARMA), ACTING CJ

SANJAY KUMAWAT/RAJAT/198

पञ्चेश्वर राज्य न्यायालय की
पञ्चपुर