



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

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D.B. Civil Writ Petition No. 6300/2021

M/s. Kisan Vikas Sewa Samiti

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Arvind Shrimali
For Respondent(s) : Mr. Sandeep Shah, AAG

**HON'BLE THE CHIEF JUSTICE MR. INDRAJIT MAHANTY
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR**

Order

03/08/2021

Heard learned counsel for the respective parties.

Learned counsel for the State is directed to obtain instructions and file affidavit of what steps are being taken by the State to direct the erstwhile lessees of Bajari Mines in khatedari land for restoring the land which has been dug-up during the course of operation of the mines. The issue lays great importance on the allegation made by the petitioner that Bajari is extracted from river and once the extraction takes place it creates huge ditches in the river belt which restrict the flow of water and water gets collected in these ditches. Consequently free flow of water in the river bay has been impeded.

Learned counsel for the State is directed to file an affidavit of what steps the State propose for taking care of the situation as noted here-in-above.

We may also note herein that at various locations within Rajasthan, Dams have been created by the State for providing



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drinking water to various urban establishments as well as water for Agriculture and Animal Husbandry. Unfortunately, we find that since excavations have been taking place at river beds and big crevices have been formed, due to such excavation, water gets retained in such ditches and crevices and such water does not even travel and reach the Dams which have been created by the State for the purpose as noted here-in-above.

We are also informed at the Bar that as an illustration, Ramgarh Dam created by the State where Asian Championship was once held, today probably for the reasons as noted here-in-above practically no water exists in such Dams and water is being blocked at various locations, therefore, the State should take steps to stop all activities which impede natural flow of water for the larger purpose of providing drinking water to its citizens and animals as well as providing water for irrigation. Consequently, the investments made by the State for construction of all these Dams is made redundant if natural flow of water is impeded in any manner.

Put up on 06.09.2021.

(VINIT KUMAR MATHUR),J (INDRAJIT MAHANTY),CJ

29-SanjayS/SunilS/VivekM/-