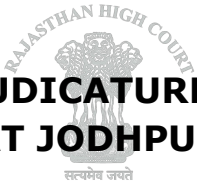




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No.12950/2026

CNR: RJHC010585872026 | URN: CW / 23641U / 2026

1. Bhanwar Lal Bula S/o Shri Mangi Lal, Aged About 58 Years, Resident Of Village Lasadiya, Tehsil Masuda, District Bewar, Rajasthan
2. Lal Mohammad S/o Shri Taju Khan, Aged About 53 Years, Resident Of Village Amarpura, Sendra, Po Sendra District Pali, Rajasthan

-----Petitioners

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Public Works Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. Rajasthan State Highway Authority (Rsha), Through Its Chairman, Nirman Bhawan, Jacob Road, Civil Lines, Jaipur, Rajasthan.
3. The Project Director, Rajasthan State Highways Aurhority, Project Implementation Unit (PIU), Ajmer, Rajasthan.
4. M/s Madhav Godara And Company, Through Its Partner, Shri Hanuman Godara, Shop No. 28, New Anaj Mandi, Ellenabad, District Sirsa, Harayana-125102 (Contractor For Collection Of User Fee On Beawar-Masuda-Goyal Sh-26A)
5. The District Collector And District Magistrate, Beawar, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Vikas Balia, Senior Advocate
assisted by Mr. Priyansh Arora

JUSTICE ANOOP KUMAR DHAND

Order

03/08/2026

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





"In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Issue an appropriate writ, order, or direction in the nature of Mandamus, commanding the Respondents, their agents, employees, and contractors to forthwith implement the order dated 27.02.2026 (Annexure-5) passed by the District Collector, Beawar and to immediately cease and desist from operating the toll plaza at Village Lasadiya, on the Beawar-Masuda-Goyla State Highway No.26A, and from collecting any user fee/toll tax thereat;

(b) Issue an appropriate writ, order, or direction in the nature of Certiorari to quash any administrative decision or inaction of the Respondents that permits the continued operation of the said illegal toll plaza;

(c) Award the costs of this petition to the Petitioner; and

(d) Pass any other order or direction which this Hon'ble Court may deem fit and proper in the interest of justice, equity, and good conscience."

2. By way of filing the instant criminal misc. petition, a prayer has been made to implement the order dated 27.02.2026 passed by the District Collector, Beawar.

3. Learned counsel for the petitioners submits that as per Rule 8 of the Rajasthan State Highways Fee (Determination of Rates and Collection), Rules, 2015 (for short "the Act of 2015"), a toll plaza cannot be allowed to be erected within two kilometers from the limits of a municipal of the local town area. Learned counsel submits that inspite of the above, a toll plaza has been established on the subject land. Learned counsel submits that a grievance was raised, in this regard, by the petitioners before the authorities concerned and when no heed was paid therein, the petitioners approached this Court by way of filing S.B. Civil Writ Petition No.1737/2026, however, the same was disposed of by this Court vide order dated 28.01.2026 by which a direction was issued to



the authorities concerned to decide the grievance of the petitioners and their representation in accordance with law. Learned counsel submits that pursuant to the aforesaid directions issued by this Court, a representation was submitted and the same was decided by the Collector, Beawar after affording due opportunity of hearing to all the respondents and a direction has been issued on 27.02.2026 for shifting the toll plaza to a location five kilometers away from the subject land.

4. Learned counsel for the petitioners further submits that the aforesaid order dated 27.02.2026 passed by the Collector, Beawar has not been assailed by the respondent before any appropriate forum of law, hence, the same has attained finality. But inspite of passing considerable time, till date, no heed has been paid by the authorities concerned for implementation of the aforesaid order.

5. Learned counsel for the petitioners submits that, under these circumstances, an application was submitted by the petitioners before the Project Director, Rajasthan State Highways Authority, Project Implementation Unit on 21.05.2026, but inspite of passing considerable time till date, the said application has not been decided by the concerned Project Director. Hence, under these compelling circumstances, the petitioners have approached this Court seeking appropriate directions.

6. Heard and considered the submissions made at the Bar and perused the material available on the record.

7. Considering the arguments put forward by learned counsel for the petitioners and looking to the fact that the order dated 27.02.2026 passed by the District Collector, Beawar clearly indicates that the respondents are supposed to shift the toll





collection booth from the subject land to a new location situated five kilometers away from the municipal limits of Municipality Beawer and it has been apprised at Bar by counsel for the petitioners that the said order has attained finality and has not been assailed by any of the respondents before any appropriate forum of law and an application has already been submitted by the petitioner before the Project Director on 21.05.2026 for implementation of the aforesaid order.

8. In light of the aforesaid facts and circumstances, the Project Director is directed to act upon the said application by deciding the same strictly in accordance with law expeditiously, as early as possible, after affording due opportunity of hearing to all the sides including the respondents, preferably within a period of three months from the date of receipt of certified copy of this order.

9. Before parting with this order, it is made clear that in case, the application submitted by the petitioners is not decided by the Project Director within the above stipulated time, as fixed by this Court, appropriate proceedings would be initiated against him under the provisions of the Contempt of Court Act, 1971.

10. The respondents are directed to ensure that whatever amount has been collected by the Toll Plaza via concerned-authority, the details of such collection be retained and submitted before the Project Director, who shall pass appropriate orders for use of the aforesaid collected amount by way of deputing a person for planting shade bearing tress in the public vicinity area. The aforesaid process would be carried over within a period of 15 days from today.



11. The photographs of these shade bearing trees along-with an undertaking of the concerned person before the Court to show that the above condition imposed by this Court has been duly complied with and he will take care of these plants till they grow and get in proper shape and he would submit the actual photographs of trees at the end of every six months in every year.

12. The reasons for passing this present order directing the respondent to plant shade bearing trees from the amount so collected by the Toll Plaza is in the interest of the public at large and for the greater public good. Planting trees as directed above, is one such initiative, which this Court considers to be appropriate, as trees, for as long as they thrive whether for decades or centuries will continuously and silently offer numerous benefits to the city and the surrounding community. Future generations will benefit from a cleaner, fresh and oxygen-rich environment.

13. With the aforesaid observations and directions, the instant writ petition stands disposed of. Stay application as well as all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J

24/Karan