



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



S.B. Civil Writ Petition No. 4350/2021

CNR: RJHC020219002021 | URN: CW / 9947U / 2021

Parmila Gupta W/o Shri Ashok Gupta, Aged About 63 Years, R/o House No. 1/1229 Malviya Nagar, Jaipur.



-----Petitioner

Versus

1. Jaipur Airport Authority, Through Controller Airport Jaipur Rajasthan.
2. Jaipur Development Authority, Through Secretary, Indira Circle, Jawahar Lal Nehru Marg, Jaipur Rajasthan.
3. Land Acquisition Officer And Sub Divisional Officer Iind, Jaipur.

-----Respondents

For Petitioner(s) : Mr. Bhanu Prakash Verma

For Respondent(s) : Mr. Om Prakash Pareek

JUSTICE ANOOP KUMAR DHAND

Order

16/09/2026

1. The instant writ petition has been preferred against the impugned order dated 27.01.2020, passed by the Senior Civil Judge, Jaipur Metropolitan-I in Reference Case No. 19/2014, by which the application submitted by the petitioner for granting her opportunity to lead her evidence and conducting cross-examination has been closed.

2. Learned counsel for the petitioner submits that the land of the petitioner was acquired by the respondents, hence the petitioner submitted a reference application under Section 3(b) of the Land Acquisition Act, 2013 with multiple prayers before the Court of Senior Civil Judge, Jaipur Metropolitan, Jaipur in the year



2014. Counsel submits that during the time when the case was posted for recording the evidence of the petitioner, the petitioner was staying abroad, particularly w.e.f. 17.05.2019 till 27.11.2019 and in the meantime, her evidence was closed on 17.09.2019. Counsel submits that the petitioner returned from abroad i.e. Australia on 27.11.2019 and immediately thereafter, an application was submitted by her requesting an opportunity to lead her evidence. The said application was submitted by the petitioner on 02.01.2020, but the Court below has rejected the application by passing the impugned order dated 27.01.2020. Counsel submits that important questions of law and facts are involved in the reference application submitted by the petitioner and the same cannot be adjudicated/decided in absence of the evidence of the petitioner. Hence, a last opportunity be granted to the petitioner for the said purpose.

3. Heard and considered the submissions made at the Bar and peruse the material available on the record.

4. Perusal of the record indicates that a reference application has been submitted by the petitioner under Section 3(b) of the Land Acquisition Act before the Senior Civil Judge in the year 2014. Since the date of filing the application, several opportunities were granted to the petitioner to lead her evidence, but on each and every date the petitioner failed to adduce the same. Hence, considering this material aspect of the matter, the Court below has closed the evidence of the petitioner on 17.09.2019.

5. It is the case of the petitioner that on the fateful day when her evidence was closed i.e. on 17.09.2019, the petitioner was not





available in the country. She was in abroad i.e. at Australia w.e.f. 17.05.2019 till 27.11.2019.

6. This cannot be a justified reason because the petitioner has failed to avail the opportunities on previous occasions. Hence, it is clear that the petitioner was negligent in pursuing her matter before the Senior Civil Judge. But looking to the fact that important questions of law and facts are involved, which are liable to be adjudicated and decided on merits by the learned Court below, this Court deems it just and proper to dispose of the instant petition by granting last opportunity to the petitioner for leading evidence with the following conditions:

“(i). The petitioner would deposit a cost amount in the sum of Rs.10,000/- (Rupees Ten Thousand only) in the ‘Junior Advocates Welfare Fund for purchasing of Law Books’ with the Rajasthan High Court Bar Association, Jaipur within a period of fifteen days from today.

(ii). The amount so deposited by the petitioner, would be utilized for providing law books to the young budding lawyers, who are having less than five years of practice at Bar and not to be utilized by the Bar Association for any other purpose.

(iii). The petitioner would further implant 25 shade bearing trees in public vicinity area within a period of 15 days from today, and would submit a photograph of the same with an undertaking before the Court below within a period of three weeks from today that she will take care of these plants until these plants get their proper shape and she would submit the actual photographs of trees at the end of every six months in every year till conclusion of the proceedings before the Court below.





7. The reason for passing this order directing the petitioner to deposit the cost amount in the 'Junior Advocates Welfare Fund for purchasing of Law Books' is in terms of the directions issued by this Court in the case of **Smt. Meena Devi and Ors. vs. Rahul Haldiya and Ors.** while deciding **S.B. Civil Miscellaneous Appeal No.3327/2018** vide order dated 11.02.2026.

8. The reasons for imposing the condition directing the petitioner to plant 25 shade bearing trees 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.

9. In case the petitioner complies with both the conditions as imposed by this Court within a period of fifteen days from today, the Court below is directed to grant last and final opportunity to the petitioner allowing her to produce her evidence by fixing a short fixed date. In case the evidence of the petitioner is not recorded on the said day, then by fixing a next short date.

10. It is made clear that in case the petitioner fails to comply with the aforesaid conditions and in case fails to record her evidence on the next date fixed by the Court below, no further time would be granted to the petitioner and the Court below would be at liberty to proceed with the matter in accordance with law.





11. With the aforesaid observations/directions, the instant writ petition stands disposed of. The stay application and all pending applications, if any, also stand dispose of.

12. Before parting with this order, it is made clear that since the reference application is lying pending before the Court below since last more than 12 years, it is expected from the reference Court below to make all possible endeavours to decide the pending reference expeditiously as early as possible, without entertaining any unnecessary / unwarranted request made by either side to defer the matter for some other day.

(ANOOP KUMAR DHAND),J

KuD/194

