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

S.B. Civil Writ Petition No. 9840/2009

Kastur Chand

----Petitioner

#### Versus

- 1. The Board Of Revenue, Rajasthan, Ajmer
- 2. The State Of Rajasthan through Tehsildar Baran, District Cock Baran
- 3. Bhawani Shankar S/o Dev Karan
- 4. Dhanni Bai Widow Of Shri Dev Karan
- 5. Kamla D/o Devi Lal
- 6. Ram Kanya D/o Devi Lal
- 7. Badri Bai D/o Dev Karan
- Rajanti D/o Dev Karan 8.
- 9. Dropadi D/o Dev Karan
- 10. Manju D/o Dev Karan, Respondents Nos. 3 To 10 Are resident of

----Respondents

For Petitioner(s)

Ms. Harshita Sharma, Adv. on behalf of Dr. Mahesh Sharma, Adv.

For Respondent(s)

Mr. Akshay Sharma, Additional Government Counsel.

## HON'BLE MR. JUSTICE ASHOK KUMAR GAUR

सत्यमव जयत

## Order

# **Reportable**

### 01/09/2022

This writ petition has been filed by the petitioner-Kastur Chand son of Devilal, challenging the order dated 08.11.1983, passed by Additional Collector (Revenue), Baran in Ceiling Case No.259/82 and the judgment dated 18.06.2009 passed by the Board of Revenue, Ajmer in Appeal Ceiling No.7213/2001/ Kota.

The facts, pleaded in the writ petition, in brief, are that the father of the petitioner was owning 41.95 standard acres of agricultural land in village Mathni, Tehsil Baran, as per revenue record and at the relevant time family of the petitioner's-father late Devilal consisted of eight members i.e. (1) Devi Lal son of Uda; (2) Parvati W/o Devi Lal; (3) Dev Karan son of Devi Lal; (4) Kastur Chand son of Devi Lal; (5) Kamla D/o Devi Lal; (6) Ramkanya D/o Devi Lal; (7) Dhanni Bai W/o Dev Karan and (8) Badri Bai D/O Dev Karan.

The petitioner has pleaded that somewhere in 1971, proceedings were initiated against his father-Devilal for acquiring the land in excess of ceiling limit under the provision of Rajasthan Tenancy Act, 1955 (hereinafter referred to as 'the Act of 1955') and on enquiry being made, it was found that the family of Devilal was having 41.95 standard acres of land and family of Devilal, consisted of eight members as was duly certified by Sarpanch of Gram Panchayat.

The Sub Divisional Officer, after taking into consideration, the provisions of Section 30C of the Act of 1955, vide order dated 21.12.1971, dropped the proceedings and no land in excess of the ceiling limit was found.

The petitioner has pleaded that he and his brother Dev Karan instituted a suit under Section 53 of the Act of 1955, for division of holding against their father and the said suit was decreed on the basis of compromise, arrived at between the parties and division of holding was effected between the members of the family, vide judgment dated 17.09.1971.

The petitioner has pleaded that after division of holding, he came in possession of his share and the agricultural land is the only source of livelihood for him.

The petitioner has pleaded that the Additional Collector (Revenue), Baran after lapse of eight years of dropping of proceedings of acquisition of land on the basis of letters of the State Government dated 09.08.1979 and 21.08.1979, reopened the Ceiling Case No.259/82 under Section 15 (2) of the Rajasthan Imposition of Ceiling on Agricultural Holding Act, 1973 (hereinafter referred to as 'the Act of 1973') and issued notices to late Devilal, father of the petitioner and no notice of re-opening of the case was given to the petitioner.

The petitioner has pleaded that after reply was filed by father of the petitioner, the Additional Collector (Revenue), Baran, without properly appreciating the reply and appreciating the provisions of Act of 1973 and the Rules of 1973, held that on 01.04.1966, Devilal was having 41.10 standard acres of land and his family members on that day were six in number and as such, he could possess the land of 35 standard acres and as such, 6.10 standard acres of land

was found in excess of ceiling limit with father of the petitioner.

The petitioner has pleaded that since the petitioner was not issued notice of re-opening of the proceedings, he did not come to know about these proceedings and continued to make use of the land and meanwhile, father of the petitioner Devilal died and his brother Dev Karan also died.

The petitioner has pleaded that only in the year 2001, when the Halka-Patwari came on the agriculture field of the petitioner and informed about the order dated 08.11.1983, he came to know about such order and he immediately approached the Board of Revenue to challenge the order dated 08.11.1983, by filing an appeal under Section 23 (2) of the Act of 1973 and the same was registered as Appeal Ceiling No.7213/2001/Kota.

The petitioner has pleaded that the Board of Revenue without properly considering the facts of the case and detailed explanation for delay in approaching to challenge the judgment dated 08.11.1983, dismissed the appeal vide order dated 18.06.2009, on the ground of delay as well as on the merits.

The petitioner has pleaded that feeling aggrieved by two orders dated 08.11.1983 and 18.06.2009, he has filed the present writ petition by raising following grounds in memo of writ petition:-

- 1. The Board of Revenue has failed to appreciate the reopening proceedings by Additional Collector (Revenue), were time barred and Section 23A of the Act of 1973, prescribed the time limit, by which the order could be reviewed by the Authorised Officer and since the proceedings were dropped in the year 1971 and reopening of ceiling proceedings after lapse of eight years on the basis of letters dated 09.08.1979 and 21.08.1979, was enormously time barred and such, review/reopen was not permissible in view of Section 23A of the Act of 1973.
- 2. The division of holding was effected between Devilal and his both sons and land in question was divided in three different units by judgment dated 17.09.1971, and revenue record was accordingly containing the names of the respective shareholders and as such, no notice whatsoever was given to the petitioner regarding reopening of ceiling case and as such, the order dated 08.11.1983, was passed in gross violation of principle of natural justice.
- 3. The Board of Revenue order, suffers from an apparent error on face of the record as the Board did not take into account, the actual proof of eight family members of late Shri Devilal, at the relevant time i.e. 01.04.1966, and as such, without any basis, the Board of Revenue has recorded six family members of late Shri Devilal, instead of eight members.

- 4. The Board of Revenue did not consider the fact of knowledge to the petitioner of order dated 08.11.1983 through Halka Patwari on 15.10.2001 and as such, there was no delay in approaching the Board of Revenue and the Board of Revenue could not have dismissed the appeal on the ground of filing belatedly.
- 5. The order of Additional Collector (Revenue) dated 08.11.1983, if was challenged by father of the petitioner before Board of Revenue and the same came to be dismissed by Board of Revenue, the same was not to affect the right of the petitioner as far as his share in the land was concerned.

Learned counsel-Ms.Harshita Sharma appearing on behalf of Dr. Mahesh Sharma for the petitioner, has made the following submissions:-

- 1. The father of the petitioner possessed 41.10 standard acres land as on 01.04.1966 and family members of Devilal were eight at relevant time and as such, by considering six members, both the Authorities have committed illegality in passing the orders.
- 2. The proceedings in the year 1971, as per the Act of 1955 and considering eight members in the family, the land was found in prescribed limit, vide order dated 21.12.1971, and as such, no excess land was available with the petitioners' father as per order of the Sub Divisional Officer.
- 3. That suit under Section 53 of the Act of 1955 for declaration of a property was filed by Dev Karan son of

Devilal, which was decreed as compromised and party to the suit i.e. Devilal and his two sons Dev Karan & Kastur Chand had one-third part each vide order dated 17.09.1971 and since Tehsildar was party to the said suit, therefore, he was well aware of the proceedings.

- 4. That the courts below failed to consider that the land which was allotted to each of the land holder was duly recorded in separate revenue record in the year 1971 itself and as such, after delay of more than 12 years, the revenue record could not have been altered.
- 5. The notice of reopening was only served on the petitioners' father and as per requirement of Section 15 of the Act of 1973, notice to show cause against the proposed action of reopening was required to be served upon all the persons concerned, i.e. petitioner and his other brother & sisters, as well.
- 6. The lapse of eight years for reopening the ceiling proceedings was against the mandatory time-line provided under Section 15(2) of the Act of 1973 and even the Amendment Act of 1979, provides the time-line of six years and as such, all proceedings are nullity in the eye of law.

Learned counsel for the petitioner has placed reliance on the judgments passed by the Supreme Court in the cases of **Daulat Singh (D) Thr. LRs Vs. The State of Rajasthan & Ors.** in **Civil Appeal No.5650/2010**, decided by Supreme Court on 08.12.2020; **Shanti Lal Vs. State of Rajasthan**,

2001 SCC Online Raj. 689; National Engineering Industries Limited, Jaipur Vs. State of Rajasthan & Ors., 2014 (4) WLC 56 and Ram Narain Vs. The State of Rajasthan, 2016 (2) WLC (Raj.) (UC) 425.

Learned counsel for the petitioner on the strength of the said judgments, submitted that the impugned orders, suffer from serious legal infirmities and as such, these orders are required to be set aside by this Court.

Learned Additional Government Counsel-Mr.Akshay Sharma, appearing for the respondents, has opposed the prayers sought in the writ petition and he has also raised preliminary objections in respect of maintainability of this writ petition as well as not entertaining the writ petition due to deplorable conduct of the petitioner, as he has concealed important facts from the knowledge of this Court while filing the present writ petition and further the petitioner also misled the Board of Revenue Authorities by not disclosing the complete facts of earlier round of litigation, which was undertaken by father of the petitioner initially and later on the petitioner being a legal representative, duly brought on record, got an order passed by this Court in S.B. Civil Writ Petition No.2909/1988 titled as Devilal Vs. State of Rajasthan & Ors., decided on 24.07.2001.

Learned Additional Government Counsel on the merits of the matter, submitted that both the Courts below have considered the legal aspects of the matter and as per provisions contained in the Act of 1973, the order passed by SDO, has rightly been set-aside.

Learned Additional Government Counsel submitted that father of the petitioner was the only person to whom notice was required to be issued under Section 15(2) of the Act of 1973, and same was served on him and he duly filed reply and as such, it cannot be said that no notice was served on the person concerned.

Learned Additional Government Counsel submitted that the suit filed by the petitioner and on the basis of compromise, if any decree was passed, the same cannot be termed to be a bonafide transaction and is also contrary to Section 6 of the Act of 1973, as any transfer of land by any means after 26.09.1970, will not be recognized or taken into consideration in determining the ceiling area applicable to the person.

Learned Additional Government Counsel further submitted that the issue which has been raised in the present writ petition has already been considered by this Court in S.B. Civil Writ Petition No.2909/1988 and the petitioner being a party there, is bound by the said decision and the principle of res judicata will apply in the present facts of the case and the petitioner cannot be allowed to re-agitate the same issues which have been decided by this Court, while passing the earlier order.

Learned Additional Government Counsel further submitted that the principle of constructive *res judicata,* is equally, applicable to the writ proceedings and if the father of the petitioner has questioned the earlier order passed by the Additional Collector (Revenue) Baran, of reopening the proceedings and further the appeal being filed against such order, and dismissed by the Board of Revenue and writ petition dismissed by this Court, no interference be made on merits of the matter and the petitioner may not be allowed to reagitate any issue before this Court.

Learned Additional Government Counsel has placed on record, the copy of the application filed under Order 22 Rule 4 CPC, for bringing legal representatives in S.B. Civil Writ Petition No.2909/1988, the order sheet of the Court dated 18.04.2001, where application for substitution was allowed and legal heirs of late Shri Devilal, were taken on record, where the petitioners Dev Karan, Kastur Chand, Kamla Devi and Ramkanya were substituted, the order dated 24.07.2001, passed by this Court, while deciding the S.B. Writ Petition No.2909/1988.

Learned Additional Government Counsel has placed reliance on the judgments passed by the Apex Court in the cases of Devilal Modi Vs. Sales Tax Officer, Ratlam and Ors., AIR 1965 SC 1150 and Bhaskar Laxman Jadhav & Ors. Vs. Karamveer Kakasaheb Wagh Education Society & Ors. (2013) 11 SCC 531.

Learned Additional Government Counsel on the strength of the said judgments submitted that on the principle of suppression of material facts, conduct of the petitioner, as well as the principle of *res judicata* do not make the petitioner entitled for any relief and as such, the writ petition is also prayed to be dismissed.

I have heard the submission made by learned counsel for the parties and perused the material available on record.

This Court after narrating the aforesaid facts, finds that following facts are undisputed:-

- 1. The Sub Divisional Officer, Baran initiated proceedings for acquiring land in excess of ceiling limit under the provisions of Act of 1955, and he dropped the proceedings and no land in excess of ceiling limit was found with Devilal-father of the petitioner.
- 2. The Additional Collector (Revenue) Baran, reopened the ceiling proceedings under Section 15(2) of the Act of 1973, vide order & judgment dated 08.11.1983 and 6.10 acres of land was found to be in excess of ceiling limit.
- 3. The order dated 08.11.1983, was put to challenge before the Board of Revenue by Devilal-father of the petitioner in Appeal bearing No.388/1983 and the same was dismissed by Board of Revenue by judgment dated 18.02.1988.
- 4. The father of the petitioner-Devilal, filed S.B. Civil Writ Petition No.2909/1988, before this Court, challenging the

order dated 18.02.1988, passed by the Board of Revenue and order dated 08.11.1983, passed by the Additional Collector (Revenue), Baran.

- 5. The father of the petitioner expired on 25.08.1989 and legal representatives of Devilal-father of the petitioner, on knowledge of filing of the writ petition by their father, after receipt of letter from their counsel, filed an application under Order 22 Rule 4 CPC to implead them as legal representatives and party as Dev Karan, Kastur Chand, Kamla Devi and Ramkanya.
- 6. The application of legal representatives of original petitioner to be taken on record, was decided by this Court on 18.04.2001 and such application was allowed and amended cause title was taken on record.
- 7. S.B. Civil Writ Petition No.2909/1988, was decided and dismissed by this Court on 24.07.2001. The said order considered all the submissions which were raised before this Court and by speaking order, the contentions raised on behalf of the original petitioner through his legal representatives were repelled by the Court and both the orders passed by Additional Collector (Revenue), Baran and Board of Revenue, were upheld.
- 8. The present petitioner after dismissal of the writ petition, filed an appeal under Section 23(2) of the Act of 1973 before the Board of Revenue on 19.10.2001,

challenging the order of Additional Collector dated 08.11.1983.

- 9. The Board of Revenue dismissed the appeal of the petitioner vide judgment dated 18.06.2009 and while passing the order, it mentioned about the fact of filing appeal by father of the petitioner-Devilal and without disclosing such fact in the memo of appeal, the petitioner had filed appeal before the Board of Revenue.
- 10. The present writ petition was filed by the petitioner before this Court on 12.08.2009 and interim order was passed on 17.08.2009, by this Court directing *status quo* to be maintained with regard to the land in question.
- 11. The present writ petition filed by the petitioner does not disclose the fact of impleadment of the petitioner as legal representative of late Devilal, who filed S.B. Civil Writ Petition No.2909/1988.
- 12. The present writ petition filed by the petitioner does not disclose the fact of earlier order of Board of Revenue, passed against the father of the petitioner and the same being challenged in the writ petition filed by father of the petitioner in this court.
- 13. The petitioner in entire writ petition has taken the plea of the knowledge of order of Additional Collector (Revenue), Baran, by mentioning that Patwar Halka in the year 2001, when came to the land in question, there the petitioner learnt first time about the order which was passed

by the Additional Collector (Revenue), Baran, in the year 1983.

This Court is first required to consider the issue of suppression of facts by the petitioner, while filing the present writ petition.

This Court finds that once the petitioner was impleaded as legal representative on account of death of his father and he filed an application to the same effect and the same was allowed, then the petitioner stepped in the shoes of his father as a writ petitioner.

This Court finds that if the petitioner was allowed to become legal representative along with his brother and his two sisters, it was incumbent on the petitioner to disclose the fact of filing of such petition, impleadment of petitioner as legal representative and final decision passed by this Court on 24.07.2001.

This Court finds that in the entire petition, filed by the petitioner, he has concealed these vital facts from the knowledge of the Court and was also able to get an interim order.

This Court finds that the petitioner, if was already agitating his right before this Court and if same was decided against him, in all fairness, it was incumbent for the petitioner to plead and disclose complete facts in the writ petition.

This Court finds that non-disclosure of complete facts in the writ petition, filed under Article 226 of the Constitution of India, dis-entitles the petitioner to seek any equitable relief, conduct of any petitioner is of a great importance and relevance and if any litigant conceals/suppresses the facts from the knowledge of the Court, such person does not deserve any indulgence of any kind and on the contrary, such unscrupulous and disgruntled litigant needs to be dealt with by this Court in proper manner.

This Court in view of the above undisputed facts finds that the petitioner in most clandestine manner, concealed the facts while drafting the petition and further no information is furnished to this Court in pleadings about previous litigation.

This Court finds that the petitioner cannot be granted any indulgence on this count alone as the petitioner has suppressed the important facts from the knowledge of this Court.

This Court is also required to consider, as whether, the petitioner can be permitted to agitate the same issues which have already been decided by this Court on merits and whether, principle of *res judicata* will be applicable in the writ proceedings or not.

This Court finds that the earlier judgment dated 24.07.2001 was passed by this Court, whereby, three specific objections were raised, challenging the order passed by the Additional Collector (Revenue), Baran, and Board of Revenue.

The issues which are now sought to be raised by the petitioner in the writ petition have already been dealt with by this Court by speaking order and as such, the findings have become final and binding on the parties.

This Court finds that the principle of *res judicata* has been provided in Section 11 of the Code of Civil Procedure, 1908 and according to said principle, the Court will not try any suit or issue in which the matter directly or substantially in issue in a former suit between the same parties or between the parties under whom they or any of them claim has been decided. The Court trying such subsequent suit will be required to consider that the earlier suit which has finally been decided and heard is not going to be re-opened.

This Court is conscious of the fact that the Code of Civil Procedure, 1908, does not apply in writ petitions, however, the board principles of the procedure provided in the Code of Civil Procedure are required to be followed in the writ petition as well.

This Court finds that in the present facts of the case, the petitioner himself became a party in place of his father and the same issues questioning the legality of order passed by the Additional Collector and the Board of Revenue, have been finally decided, no right can accrue to the petitioner to raise the same issues before this Court again and the issues which have been finally heard and decided, will not be allowed to be re-opened.

This Court if allows the plea raised by the petitioner in the present writ petition, challenging the order passed by the Additional Collector (Revenue) Baran and the Board of Revenue and finds that no interference is required to be made then on the same analogy tomorrow all other persons who have become party as legal representative of late Devilal, will again rake up and say that their rights are also required to be decided. The final adjudication of rights are to be legally recognized and when Competent Courts pass orders, the parties are bound by such orders and judgments and on their mere asking or by innovative dubious method, no right can be conferred on such litigant to raise settled issue again and again.

This Court finds that in the present facts of the case, the issue with regard to the validity of the order passed by the Additional Collector (Revenue) Baran, was already examined and the petitioner now by taking leaf from the knowledge of some Halka Patwari in the year 2001, about earlier civil proceedings, cannot be permitted to question those orders which have already got seal of approval from this Court.

This Court is afraid to accept the submission of learned counsel for the petitioner that the petitioner was not aware about the earlier litigation which was initiated by his father, as the petitioner himself has filed an application for impleadment as legal representatives in place of his father along with his brother and sisters and now petitioner cannot

escape from this situation that judgment has already been passed against him.

The submission of learned counsel for the petitioner that the issue of limitation of issuing notice beyond seven years has not been considered by this Court while deciding the earlier writ petition and the petitioner has a substantial right to agitate the same before this Court, suffice it to say by this Court, that the earlier order which has been passed by the Additional Collector (Revenue), Baran, clearly mentions that notice was served to the father of the petitioner under Section 15 (2) of the Act of 1973 and after receipt of notice and explanation from the father of the petitioner, the Additional Collector, passed the order dated 08.11.1983.

The submission of learned counsel for the petitioner that the notice to each person concerned including the petitioner was not served and as such, proceedings are vitiated in the eye of law, suffice it to say by this Court, that the land was in the name of the father of the petitioner and as on 01.04.1966, if the father of the petitioner was having a particular number of units for claiming the benefit of saving the land from ceiling proceedings, necessary notice was required to be issued to the father of the petitioner-Devilal and he was given the said notice.

The submission of learned counsel for the petitioner that the letter issued by the State Government dated 09.08.1979, as given in the order dated 08.11.1983 of the Additional

Collector (Revenue), Baran, will not satisfy the requirement of issuing separate notice under Section 15(2) of the Act of 1973, this Court finds that if the letter which has been issued by the State Government, alleging that the interest of the State has been affected due to order passed by the SDO, then the Additional Collector, after taking into account the actual family members of late Devilal, rightly passed the order.

The submission of learned counsel for the petitioner that there were eight family members of the late Devilal-father of the petitioner and accordingly, the SDO had passed the order of dropping the ceiling proceedings and there was no basis to count only six members of the family, suffice it to say by this Court, that if the relevant record has been seen by the Additional Collector and further this Court while deciding the earlier writ petition has repelled this contention of the petitioner in earlier petition, the petitioner would not be permitted to agitate the issue again before this Court in this round of litigation.

The submission of learned counsel for the petitioner that the Board of Revenue has been swayed only by the fact of earlier appeal being dismissed of father of the petitioner and as such, on limitation as well as on the merits, no judgment could have been passed, this Court finds that Board of Revenue has rightly recorded that the petitioner in most unusual manner, in spite of, dismissal of appeal, filed by the

father of the petitioner, in the year 1988, again filed the appeal, questioning the order of Additional Collector and he did not even make a mention in memo of appeal filed before the Board of Revenue that such order passed by Additional Collector had already attained finality upto High Court.

The submission of learned counsel for the petitioner that the suit filed under Section 53 of the Act of 1955, had divided the rights of the parties between three persons i.e. Devilal-father of the petitioner and his two sons i.e. Kastur Chand and Dev Karan and as such, revenue record was changed accordingly in favour of the respective parties and as such, in spite of a valid decree, passed in favour of the petitioner and his family members and Tehsildar, being a party there and as such, due recognition was required to be given to the said decree, suffice it to say by this Court, that bare perusal of Section 6 of the Act of 1973, makes it clear that any transfer of land, whether, by away of sale, gift, exchange, assignment, surrender, request, grant of trust or otherwise before or after 26.09.1970, except the bona fide transfer will be deemed to be made to defeat the provisions of the Act of 1973.

This Court finds that in view of the Section 6 of the Act of 1973, Court cannot put a seal of approval, if any arrangement was made by the parties in order to defeat, the provisions of the Act and any transaction which was made after 26.09.1970, the same is a nullity in the eye of law as per Section 6 of the Act and accordingly, no benefit can be

derived by the petitioner on the basis of the compromise entered between the parties in the suit filed under Section 53 of the Act of 1955.

This Court, accordingly, finds that the present writ petition is a sheer misuse of the judicial proceedings by the petitioner and the petitioner by his conduct has not only suppressed the material facts from the Court but has also tried to mislead the Authorities including the Board of Revenue by not disclosing the complete facts relating to earlier round of litigation and he being a party in the litigation.

This Court is conscious of the fact that any citizen whose rights are infringed by any Authority or by any person, has a right to seek remedy by approaching the Courts of law, however, the same right or liberty to a litigant should not be misused by filing petitions by concealing the important facts. The litigant who files any case before any forum has to come with clean hands and he has to disclose complete facts before the Court. The Court on merits of the matter or after considering the issues which are raised and disputed by other side, has to pass the order, after considering the entire facts of the matter. The concealment of facts or not disclosing the complete relevant facts, leads to a situation, where Court is misled to believe certain facts, which are not obtaining.

The fate of any case is dependent on the pleadings of the parties and for fulfilling basic requirement of pleadings, party has to write relevant & correct facts before the Court and no facts should be concealed from the Court.

This case is a classic example where petitioner has taken the entire judicial system for a ride as before the Board of Revenue, he never disclosed that the writ petition filed by him has already been dismissed and further while filing of the present writ petition, he has not disclosed as what transpired in earlier round of litigation. This conduct of the petitioner is required to be deprecated by this Court.

This Court finds that on the one hand all the Courts are flooded with so much litigation that they find it difficult to decide the rights of the aggrieved parties, who are genuinely approaching the Court and on the other hand, the Courts are dealing with such persons, who file frivolous writ petitions and take the Court for granted by not disclosing the complete facts.

This practice is required to be deprecated and accordingly this Court finds that this case is a classic example of sheer misuse of Courts of law by the petitioner and accordingly this Court finds that not only the petition is required to be dismissed but the heavy cost is also required to be imposed on the petitioner for suppressing the basic facts. The wastage of Judicial time of this Court in frivolous litigation, also requires to be dealt with in a strict manner.

This Court, considering the entire facts of the case, deems it just and proper to dismiss the writ petition and the

same is accordingly dismissed with cost. The petitioner is directed to pay a cost of Rs.25,00,000/-, to be deposited by him within a period of four weeks with the Rajasthan State Legal Services Authority, Jaipur and receipt thereof may be placed in the file.

## (ASHOK KUMAR GAUR),J

Ramesh Vaishnav/86/Bhavnesh Kumawat

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