



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

D.B. Civil Writ Petition No. 11420/2022

Gram Panchayat, Dujana Pamchayat Samiti, Sumerpur District Pali, Through Its Sarpanch Smt. Panku Devi W/o Shri Gun Raj Ji Meena, Aged About 66 Years, R/o Dujana, Tehsil Sumerpur, District Pali (Rajasthan).

----Petitioner

Versus

1. Union Of India, Through Secretary, Ministry Of Road Transport And Highway, Government Of India, New Delhi.
2. State Of Rajasthan, Through Secretary, Public Works Department, Rajasthan, Jaipur.
3. Regional Officer, National Highway Authority Of India, F-120, Janpath, Shyam Nagar, Jaipur (Rajasthan).
4. Chief Engineer, Public Works Department (National Highway), Jaipur.
5. Project Director Cum Superintending Engineer, National Highway Division, Jodhpur (Rajasthan).
6. Superintending Engineer, (National Highway), Division Pali, District Pali (Rajasthan).
7. Sub Divisional Officer (Land Acquisition), Sumerpur, District Pali (Rajasthan).

----Respondents

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For Petitioner(s) : Mr. Shambhoo Singh Rathore

For Respondent(s) : --

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**HON'BLE MR. JUSTICE SANDEEP MEHTA  
HON'BLE MR. JUSTICE KULDEEP MATHUR**

**Order**

**16/08/2022**

The petitioner Gram Panchayat, Dujana has filed the instant writ petition styling it to be a Public Interest Litigation with the following prayers:-



"10. It is, therefore, most humbly prayed that this writ petition in the form of IPL may kindly be allowed with cost and by an appropriate writ, order or direction:-

(i) The respondents may kindly be directed to cancel the bye-pass highway of Dujana of National Highway no. 325 as the existing road is already available which is sufficient for construction of the highway.

(ii) The respondents may kindly be further directed to construct the two lane with paved shoulder configuration of the highway no. 325 of the existing road of Dujana.

(iii) The respondents may be further directed to consider the genuine grievances of the petitioner for construction of highway on the existing road so that the development of the village can be taken place likewise the highway passes through the village Balana-Gudiya.

(iv) Any other appropriate relief which deemed fit in the facts and circumstances of the case may kindly be passed in favour of the petitioner."

After arguing the matter at great length, Shri Shambhoo Singh Rathore, learned counsel representing the petitioner, craves liberty to withdraw the instant writ petition. Ex facie, we are of the opinion that the writ petition has been filed for oblique and malafide motives. There cannot be any justification to entertain a prayer for directing the National Highway Authority not to construct a by-pass on the highways and to direct them to construct the highway through the populated areas. Ex facie, we feel that the motive behind filing of this writ petition is not bonafide. Hence, the same is dismissed upon being withdrawn and so also on merits.

**(KULDEEP MATHUR),J**

**(SANDEEP MEHTA),J**

176-Sudhir Asopa/-