



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



S.B. Civil Writ Petition No. 15763/2024

Jitendra Singh S/o Shri Surendra Pal Singh, Aged About 48  
Years, R/o 180, Patel Nagar, Deoli, District Tonk Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary  
Department Of Local Self Government, Government Of  
Rajasthan, Government Secretariat Jaipur.
2. Director Directorate Of Local Bodies, G-3, Rajmahal  
Residency Area, Civil Lines Phatak, C-Scheme, Jaipur.
3. Municipal Board Deoli, District Tonk Through Its Executive  
Officer
4. Shri Nemichand Jain Son Of Babu Lal Jain, Chairman,  
Municipal Board Deoli, District Tonk.

----Respondents

For Petitioner(s) : Mr.Laxmi Kant Malpura

For Respondent(s) :

**HON'BLE MR. JUSTICE AVNEESH JHINGAN**

**Order**

**10/10/2024**

1. This petition is filed seeking quashing of order dated  
11.09.2024 and the Resolution No.1 dated 30.07.2024 passed by  
the Municipal Board, Deoli, District Tonk.
2. The brief facts are that the Municipal Board passed a  
resolution for setting up a District Hospital at Deoli in Kharsa  
No.4240 and 4279 total area of 1.24 acres. It was taken into  
consideration that the private Khatedar of the Khasra No.4280 was  
ready to surrender the land for 60 feet wide road. The resolution  
was sent for sanction to the State Government. The sanction was



accorded on 11.09.2024 by Director, Special Secretary, Health Department, Rajasthan.

3. The contention raised in the petition is that the hospital is being set up to give benefits to respondent No.4, who happens to be the Chairman of the Municipal Board, Deoli, District Tonk. The land of wife of respondent No.4 is adjacent to the land where the hospital is to be established. Further that there are more suitable places available in Deoli for setting up the Hospital. The contention is that the Khatedar of Kharsa No.4280 has surrender the land for the road only with the purpose of gaining profit by appreciation in price of the land.

4. The earmarking of the place for setting up hospital is a policy decision. This Court in writ petition cannot sit in appeal over the decision. The mere fact that land of wife of the respondent No.4 is adjacent to the land where the hospital is to be established itself cannot be a ground to allege malafides.

5. It would not be out of place to mention that the allegation of hospital being established on the land in question so that land value of wife of respondent No.4 is appreciated, is being raised without impleading her as party.

6. No case is made out for interference in writ jurisdiction.

7. The writ petition is dismissed accordingly.

(AVNEESH JHINGAN),J

Monika/35

Whether Reportable: **Yes**