

COMPILATION OF JUDGMENT NOTES
RAJASTHAN STATE INDUSTRIAL DEVELOPMENT AND
INVESTMENT CORPORATION LIMITED
(RIICO)

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1. Bishambhar Prasad vs M/s Arfat Petrochemicals Pvt. Ltd. and Others.

Title	Bishambhar Prasad v. M/s Arfat Petrochemicals Pvt. Ltd. & Ors. 2023 INSC 406; (2023) 6 Scale 167; 2023 Supreme (SC) 391 Decided on: 20 April 2023 Bench: Justice Surya Kant and Justice Vikram Nath.
Keywords	land allotment - industrial use - State authority - RIICO - natural justice - legitimate expectation - public interest - lessor-lessee relationship - jurisdiction - permissions cancellation
Brief Facts of the Case	• The dispute concerned industrial land situated in the Large-Scale Industrial Area (LIA), Kota, Rajasthan. The land was originally allotted by the State Government to J.K. Synthetics Ltd. (JKSL) under the Rajasthan Industrial Areas Allotment Rules, 1959 for establishment of industrial units. The lease deeds executed from time to time consistently maintained the State Government as the lessor and required the land to be used only for industrial purposes. • JKSL subsequently became a sick industrial company, and a rehabilitation scheme was sanctioned by the AAIFR. Pursuant thereto, M/s Arfat Petrochemicals Pvt. Ltd. (APPL) stepped into the shoes of JKSL, and seven transfer lease deeds were executed in its favour by the Collector, Kota, in 2007. The object remained industrial revival and continuation of industrial activities. • In 2018, APPL approached RIICO for subdivision of plots and conversion of about 23% of the land from industrial to commercial use. RIICO granted approvals and executed supplementary lease deeds. Thereafter, a Cabinet Committee constituted by the State Government reviewed the matter and concluded that RIICO lacked authority to grant such permissions. Acting under Article 138 of RIICO's Articles of Association, the State Government directed cancellation of the permissions and supplementary lease deeds, which RIICO accordingly cancelled in October 2019. • The High Court set aside the cancellation orders and restored the permissions granted by RIICO. The State of Rajasthan, RIICO and workers' unions challenged the High Court judgment before the Supreme Court.

Issues	1. Whether the land in LIA, Kota stood transferred to RIICO, thereby empowering RIICO to grant permissions for change of land use, subdivision of plots and execution of supplementary lease deeds. 2. Whether RIICO had jurisdiction under the Rajasthan Industrial Areas Allotment Rules, 1959 and RIICO Disposal of Land Rules, 1979 to permit conversion of industrial land and execute supplementary lease deeds in favour of APPL. 3. Whether cancellation of the permissions and supplementary lease deeds without issuing a show-cause notice violated the principles of natural justice. 4. Whether APPL could invoke the doctrines of legitimate expectation and promissory estoppel on the basis of permissions granted by RIICO. 5. Whether the State Government was competent to direct RIICO to cancel the permissions and supplementary lease deeds.
Held	The Supreme Court allowed the appeals filed by the State of Rajasthan and RIICO, set aside the judgment of the Rajasthan High Court, and dismissed the writ petition filed by APPL. The Court held that: • There existed an uninterrupted lessor-lessee relationship between the State Government and JKSL/APPL. The State Government always remained the lessor and owner of the land. • The land in LIA, Kota was never allotted to RIICO on leasehold basis under Rule 11A of the 1959 Rules. Consequently, RIICO had no authority to act as lessor, grant permissions for conversion, subdivide plots, or execute supplementary lease deeds. • Since RIICO lacked jurisdiction from the outset, the permissions and supplementary lease deeds executed by it were void and unsustainable. • Principles of natural justice were not violated because the very foundation of the permissions was illegal. A hearing would have been an empty formality where RIICO had no authority to grant the permissions in the first place. • No legitimate expectation or promissory estoppel could arise from actions taken by an authority acting without jurisdiction. Moreover, overriding public interest in preserving industrial land outweighed any private expectation claimed by APPL.

	The State Government was competent to issue directions to RIICO under Article 138 of its Articles of Association for cancellation of the impugned permissions and supplementary lease deeds.
Ratio Decidendi	Permissions granted by RIICO regarding LIA, Kota were void because RIICO never acquired leasehold rights or statutory authority over the land. Consequently, cancellation of those permissions by the State Government was lawful, and doctrines of natural justice, legitimate expectation, and promissory estoppel could not validate actions taken without jurisdiction.
Relevant para	74-76, 92-94,97,104,105,108

2. The Rajasthan State Industrial Development and Investment Corporation & Another vs Diamond and Gem Development Corporation Ltd Another

Title	The Rajasthan State Industrial Development and Investment Corporation Ltd. & Another v. Diamond and Gem Development Corporation Ltd. & Another (2013) 5 SCC 470 : AIR 2013 SC 1241 Civil Appeal Nos. 7252-7253 of 2003 with Civil Appeal Nos. 8222-8223 of 2003, Decided on: 12 February 2013 Bench: Justice B.S. Chauhan and Justice V. Gopala Gowda.
Keywords	lease deed - allotment - land - development - construction - access road - cancellation - jurisdiction - equitable grounds - interpretation - contractual obligation - writ jurisdiction - public policy - public interest - public good - discretion - substantial justice - good faith - demand - refusal - terms of contract - purpose of contract - joint intent - reasonable expectations - reliance - as-is-where-is - legal fiction - corollaries - statutory fiction - full effect - inevitable consequences - legal right - implied obligation - ultra activist view - speculative reasons - hypothetical reasons - statutory remedy - alternative remedy - exhaustion of remedies - arbitration clause - review application - appeal
Brief Facts of the Case	The State Government acquired a large tract of land in Jaipur for industrial development and transferred it to RIICO. Thereafter, RIICO allotted 105 acres of land to Diamond and Gem Development Corporation Ltd. (DGDC) in 1988 for establishing a Gem Industrial Estate. A lease deed dated 22.05.1989 was executed

	on an “as-is-where-is” basis, requiring DGDC to complete construction and commence production within five years. • Despite the lapse of the stipulated period, only about 10% of the project was completed. RIICO repeatedly reminded DGDC to accelerate development. DGDC contended that development was delayed because RIICO failed to provide an approach/access road from the Jaipur–Tonk Road and filed a writ petition seeking a direction to RIICO to provide such road. • Subsequently, RIICO issued a show-cause notice and cancelled the allotment on 01.10.1996 for breach of the lease conditions and resumed possession of the land. DGDC challenged the cancellation through another writ petition. • The Rajasthan High Court allowed both writ petitions, quashed the cancellation order, directed restoration of possession to DGDC and further directed RIICO to provide an access road. Aggrieved thereby, RIICO approached the Supreme Court.
Issues	1. Whether RIICO was under a legal obligation to provide an approach/access road to DGDC. 2. Whether the allotment having been made on an “as-is-where-is” basis, DGDC could claim infrastructure facilities as a matter of right. 3. Whether the amendment to Rule 11-A of the Rajasthan Land Revenue (Industrial Area Allotment) Rules, 1959 divested RIICO of its authority over the land and rendered it incompetent to cancel the lease. 4. Whether RIICO validly cancelled the allotment for failure to comply with the conditions of the lease deed. 5. Whether the High Court could exercise writ jurisdiction in a dispute arising out of contractual obligations and lease conditions.
Held	• The Supreme Court allowed the appeals and set aside the judgment of the High Court. • The Court held that the land had been allotted on an “as-is-where-is” basis, which was expressly accepted by DGDC. Therefore, DGDC could not subsequently insist that RIICO was obligated to provide an approach road. The lease deed itself contemplated that the lessee would develop and maintain the approach road and other infrastructure. • The Court observed that the High Court had incorrectly imposed a constructive obligation on RIICO on equitable considerations, contrary to the express terms of the lease deed. Courts cannot

	rewrite contractual terms or create obligations not agreed upon by the parties. • The Supreme Court further held that the amendment to Rule 11-A of the Rules of 1959 was enacted only to facilitate sub-leasing by DGDC and did not transfer ownership rights or regulatory authority from RIICO to the State Government. The legal fiction created by the amendment was limited in scope and could not be interpreted to divest RIICO of its title or powers. • The Court found that DGDC had failed to complete the project within the stipulated period and had completed only about 10% of the construction work. No proper application seeking extension of time was filed in accordance with the applicable rules. Therefore, RIICO was justified in cancelling the allotment under Rule 24 of the Rajasthan State Industrial & Investment Corporation Ltd. (Disposal of Land) Rules, 1979 read with the terms of the lease deed. • The Court also held that contractual disputes involving interpretation and enforcement of lease conditions ordinarily cannot be adjudicated in writ jurisdiction under Article 226, particularly when alternative remedies such as appeal, review, or arbitration are available. • Consequently, the order of cancellation passed by RIICO was restored and the writ petitions filed by DGDC were held to be unsustainable.
Ratio Decidendi	Where industrial land is allotted on an “ as-is-where-is ” basis, the allottee cannot subsequently compel the allotting authority to provide facilities or infrastructure not stipulated in the contract. Courts cannot rewrite contractual terms, and failure of the allottee to comply with essential conditions of allotment entitles the authority to cancel the allotment in accordance with law.
Relevant para	12-17, 18, 22, 23-28, 29-30, 32

3. Modern Syntex (India) Ltd. vs Rajasthan Industrial Development and Investment Corporation Limited

Title	Modern Syntex (India) Ltd. v. Rajasthan Industrial Development and Investment Corporation Ltd. (RIICO)								
	(2007)	12	SCC	480	:	AIR	2007	SC	423

	Civil Appeal Nos. 1638, 1639 & 1640 of 2007 Decided on: 29 March 2007 Bench: Justice P.K. Balasubramanyan and Justice P.P. Naolekar
Keywords	Land Acquisition - Obligation to Pay Enhanced Compensation - Land Acquisition Act - Section 18
Brief Facts of the Case	- RIICO acquired various parcels of land under the Land Acquisition Act for the purpose of allotting them to the appellant-company, Modern Syntex (India) Ltd., for industrial development. After acquisition proceedings commenced, RIICO issued an allotment letter stipulating that the allottee would pay either Rs. 1.75 per square metre or the cost of acquisition plus 10%, whichever was higher. - The appellant accepted the allotment and a lease deed for 99 years was executed on 10.05.1977. Subsequently, the landowners sought enhancement of compensation under Section 18 of the Land Acquisition Act. The Reference Court enhanced the compensation and the enhancement was ultimately upheld by the High Court. - After paying the enhanced compensation to the landowners, RIICO demanded reimbursement of the additional amount from the appellant. The appellant disputed its liability and challenged RIICO's demand notices before the Rajasthan High Court. Both the Single Judge and the Division Bench held the appellant liable to pay the enhanced compensation. Aggrieved, the appellant approached the Supreme Court.
Issues	- Whether the appellant-lessee was liable to pay the enhanced compensation awarded under the Land Acquisition Act after execution of the lease deed? - Whether the rights and liabilities of the parties were governed solely by the lease deed, excluding the terms of the prior allotment letter? - Whether the expression "cost of acquisition" in the allotment letter included enhanced compensation subsequently awarded by the Court under Section 18 of the Land Acquisition Act?
Held	- The Supreme Court dismissed the appeals and upheld the judgment of the High Court. - The Court held that the allotment letter and the lease deed formed part of the same transaction and had to be read together to ascertain the rights and obligations of the parties. The stipulation in the

	allotment letter requiring the appellant to bear the “cost of acquisition plus 10%” necessarily included the final compensation payable under the Land Acquisition Act, including any enhancement awarded by the Reference Court or appellate courts. • The Court rejected the appellant's contention that only the lease deed governed the relationship between the parties. Since the acquisition was undertaken specifically to provide land to the appellant for industrial purposes, the appellant was bound to bear the ultimate acquisition cost. Consequently, RIICO was entitled to recover from the appellant the additional amounts paid towards enhanced compensation.
Ratio Decidendi	Where land is acquired by a development authority for allotment to an industrial unit, and the allotment terms require the allottee to bear the “cost of acquisition”, the allotment letter and lease deed must be construed together. The expression “cost of acquisition” includes the final compensation payable under the Land Acquisition Act, including any enhancement awarded by courts, and the allottee is liable to reimburse such enhanced compensation.
Relevant para	3,4,5,6,7

4. The Rajasthan State Industrial Development and Investment Corporation vs Subhash Sindhi Cooperative Housing Society Jaipur & Others

Title	Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) & Ors. v. Subhash Sindhi Cooperative Housing Society Ltd. & Ors. Civil Appeals arising from the judgment of the Rajasthan High Court dated 30.07.2002. Bench: Justice B.S. Chauhan and Justice F.M. Ibrahim Kalifulla
Keywords	Land Acquisition Act, 1953 - Section 4 Notification - Industrial development - Housing society - Agreement to sell - Declaration under Section 6 - Possession of land - Market value of land - Allotment of land - Writ petition - Res-judicata - Discrimination - Article 14 - Void -

	Estoppel - Public policy - Circulars - Regularization of construction - Development scheme – Compensation
Brief Facts of the Case	• The State of Rajasthan initiated acquisition proceedings in 1979 for acquisition of land for industrial development through RIICO. The land in dispute formed part of the acquired area. After issuance of the notification under Section 4 of the Land Acquisition Act, certain khatedars entered into an agreement to sell the land to Subhash Sindhi Cooperative Housing Society. • The Society, along with original khatedars, challenged the acquisition proceedings after considerable delay. The writ petitions were dismissed by the High Court and the dismissal was affirmed by the Supreme Court. However, liberty was granted to the Society to approach the court only on the limited ground of discrimination if similarly situated lands had been released from acquisition. • Pursuant thereto, the Society filed another writ petition seeking release of 17 bighas and 9 biswas of land or equivalent land and also sought cancellation of allotment made to Diamond and Gem Development Corporation. The High Court accepted the plea of discrimination and directed release of the land in favour of the Society. RIICO and the State challenged the said judgment before the Supreme Court.
Issues	1. Whether a society claiming rights under an agreement to sell executed after issuance of a Section 4 notification could seek release of acquired land? 2. Whether the Society had established discrimination under Article 14 by showing parity with other landholders whose lands were released from acquisition? 3. Whether the High Court was justified in directing release of acquired land without examining whether the Society was similarly situated to persons who obtained release? 4. Whether executive circulars and government schemes permitting regularisation or release of land could override the provisions of the Land Acquisition Act? 5. Whether the High Court could itself grant the relief of release of land instead of directing the competent authority to consider the representation?
Held	• The Supreme Court allowed the appeals and set aside the judgment of the High Court.

	• The Court held that the Society had no valid title as its claim was based merely on an agreement to sell executed after issuance of the Section 4 notification. Such a transaction did not confer any enforceable right against the State. • The Court further held that a person seeking relief on the ground of discrimination must specifically plead and establish that the comparator cases are similarly situated in all material respects. The Society failed to place any material showing that the lands released by the Government belonged to persons identically situated to it. • The Court reiterated that Article 14 does not contemplate negative equality and cannot be invoked to perpetuate illegality. Even if certain lands were wrongly released, others cannot claim identical illegal treatment. • The Court also held that executive instructions, circulars or government schemes inconsistent with statutory provisions cannot override the Land Acquisition Act. Once land vests in the State after acquisition, release can only be effected in accordance with law. • The High Court erred in granting substantive relief itself without any proper factual foundation and without directing the competent authority to examine the claim. • Accordingly, the judgment directing release of land in favour of the Society was set aside.
Ratio Decidendi	A person claiming rights under an agreement to sell executed after issuance of a notification under Section 4 of the Land Acquisition Act acquires no enforceable right to challenge acquisition or seek release of land. Relief under Article 14 can be granted only upon proof of discrimination vis-à-vis truly similarly situated persons, and the doctrine of equality cannot be invoked to perpetuate illegality. Executive circulars inconsistent with statutory acquisition law are unenforceable and cannot override the provisions of the Land Acquisition Act.
Relevant para	17-20, 33, 34

5. Jai Narain & Ors. vs State of Rajasthan & Ors.

Title	Jai Narain & Others v. State of Rajasthan & Others 2017 Supreme (SC) 1456 Civil Appeal No. 2690 of 2012 and connected appeals Decided on: 09 November 2017 Bench: Justice Arun Mishra and Justice Mohan M. Shantanagoudar.
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Keywords	Land Acquisition – Section 18 Reference – Comparable Sale Instances – Development Potential – Belting Method – Inadmissible Evidence – Market Value – Deduction towards Development Charges – RIICO Acquisition – Enhancement of Compensation.
Brief Facts of the Case	• The State of Rajasthan issued a notification under Section 4 of the Land Acquisition Act, 1894 on 15.09.1994 for acquisition of 371 bighas and 10 biswas of land situated at Village Roopwas, District Tonk, for industrial development. RIICO was the beneficiary of the acquisition. • The Land Acquisition Collector adopted the belting method and awarded compensation at the rate of Rs.1,15,000 per bigha for land abutting National Highway No. 12, Rs.21,780 per bigha for irrigated land, and Rs.11,385 per bigha for unirrigated land. • The Reference Court as well as the High Court affirmed the compensation awarded by the Collector. Aggrieved by the inadequate compensation, the landowners approached the Supreme Court seeking enhancement of compensation on the basis of comparable sale exemplars and the development potential of the acquired land.
Issues	1. Whether the compensation awarded by the Land Acquisition Collector was inadequate. 2. Whether the Reference Court and the High Court were justified in relying upon materials considered by the Land Acquisition Collector which were not independently proved before the Reference Court. 3. Whether comparable sale exemplars and development potential of the acquired land justified enhancement of compensation. 4. Whether the acquired lands possessed residential and commercial potential owing to their location and surrounding development.
Held	• The Supreme Court allowed the appeals and enhanced the compensation. • The Court held that the Reference Court proceedings under Section 18 of the Land Acquisition Act are independent proceedings and not appeals against the award of the Land Acquisition Collector. Consequently, the Reference Court can consider only the evidence

	adduced before it and cannot rely upon materials considered by the Collector unless such material is properly proved. • The Court found that both the Reference Court and the High Court had been influenced by inadmissible material contained in the Collector's award. • Relying upon the sale exemplar (Exhibit-5), the Court determined the market value of the land abutting the road after granting appreciation at the rate of 12% per annum and making a deduction of 30% towards development charges. Consequently, compensation for land abutting the National Highway was enhanced from Rs.1,15,000 to Rs.1,87,000 per bigha. • The Court further held that the remaining acquired lands possessed substantial development potential because of their proximity to Vanasthali Vidyapeeth and other developmental activities. Considering the distance from the highway and applying a 50% deduction, compensation for the remaining irrigated and unirrigated lands was fixed at Rs.1,33,500 per bigha. • The landowners were held entitled to all statutory benefits under the Land Acquisition Act.
Ratio Decidendi	The court considered evidence and development potential to enhance compensation, despite inadmissible material considered by lower courts.
Relevant para	Para no. 5,6,7,8

6. UltraTech Cement Ltd. (formerly Grasim Industries Ltd.) v. State of Rajasthan & Ors

Title	UltraTech Cement Ltd. (formerly Grasim Industries Ltd.) v. State of Rajasthan & Ors. 2020 Supreme SC 450 Civil Appeal arising out of the judgment of the Rajasthan High Court Court: Supreme Court of India
Keywords	Rajasthan Investment Promotion Scheme, 2003 (RIPS-2003), Capital Investment Subsidy, BIDI (Board of Infrastructure Development and Investment), State Level Screening Committee (SLSC), Promissory Estoppel, Legitimate Expectation, Entitlement Certificate, Revisionary Jurisdiction, Government Incentive Scheme, Industrial Policy, VAT Subsidy, Interpretation of Incentive Schemes
Brief Facts of the Case	• The appellant-company proposed to establish a large cement plant at Kotputli, Rajasthan with investment exceeding ₹1,000 crores

	and sought a customized package of incentives under the Rajasthan Investment Promotion Scheme, 2003 (RIPS-2003). • The Board of Infrastructure Development and Investment (BIDI) considered the proposal and directed that the company would be entitled to the benefits available under the recently announced cement package and RIPS-2003. • After making substantial investment, executing an MoU with the State Government and commencing commercial production, the company applied for an Entitlement Certificate. • The State Level Screening Committee (SLSC) granted an Entitlement Certificate allowing Capital Investment Subsidy up to 75% of the VAT deposited. • After the company had enjoyed the subsidy for several years, the Additional Chief Secretary, exercising revisional powers, held that the company was entitled only to 50% subsidy, directed issuance of a revised certificate and ordered recovery of the excess subsidy with interest. • The Rajasthan High Court upheld the revisional order, whereupon the company approached the Supreme Court.
Issues	1. Whether BIDI had approved grant of 75% Capital Investment Subsidy under RIPS-2003? 2. Whether the SLSC validly granted the Entitlement Certificate granting 75% subsidy? 3. Whether the State Government could revise the Entitlement Certificate after several years and recover the excess subsidy? 4. Whether the doctrines of promissory estoppel and legitimate expectation were applicable in favour of the appellant?
Held	The Supreme Court *dismissed the appeal* and held that: • BIDI had not granted approval for enhancement of subsidy from 50% to 75%; it had merely directed that the company would receive benefits available under the applicable scheme. • The SLSC erroneously assumed that BIDI had approved 75% subsidy and consequently issued the Entitlement Certificate contrary to the Scheme. • The revisional authority rightly corrected the illegal grant of subsidy and ordered recovery of the excess amount. • The doctrines of promissory estoppel and legitimate expectation could not be invoked to sustain a benefit granted contrary to the statutory scheme. • No vested right accrues from an entitlement certificate issued in violation of the governing policy or statutory provisions.

Ratio Decidendi	Benefits under an industrial incentive scheme can be claimed only in accordance with the express provisions of the scheme. Neither promissory estoppel nor legitimate expectation can validate or perpetuate an incentive granted without statutory authority or contrary to the scheme, and the Government is competent to correct such erroneous grants through lawful revision.
Relevant para	7, 42-51

7. Senior Manager (P&D), RIICO Ltd. v. The State of Rajasthan & Anr.

Title	Senior Manager (P&D), RIICO Ltd. v. The State of Rajasthan & Anr. 2017 Supreme (SC) 1069; (2018) 1 SCC 79 Criminal Appeal No. 1845 of 2017 (arising out of SLP (Criminal) No. 4073 of 2017) Decided on: 03 November 2017 Court: Supreme Court of India Bench: A.K. Sikri and Ashok Bhushan, JJ.
Keywords	Section 195(1)(b)(ii) CrPC, Forged document, Cognizance of offence, Protest petition, Forgery, Fraud, Handwriting expert, Final report, Revisional court, Section 482 CrPC, Sections 467, 468, 471 IPC, Document produced in court, Custodia legis
Brief Facts of the Case	• A letter dated 10.04.1992 was purportedly issued by the Regional Manager, RIICO, Sriganganagar to Respondent No. 2, M/s Kanha Refined Oil and Vanaspati Pvt. Ltd. through Ravi Setia. • The appellant, who was the Regional Manager and alleged signatory of the letter, claimed that the letter was forged and asked Respondent No. 2 to produce the original copy. • Instead of producing it before RIICO, the letter was filed on 27.04.1992 in Civil Suit No. 2/84 titled M/s Kanha Refined Oil and Vanaspati Pvt. Ltd. v. RIICO Ltd. • The appellant lodged FIR No. 184 dated 29.04.1992 alleging offences under Sections 420, 467, 468 and 471 IPC. • The police submitted a Final Report stating that since the letter had been filed in a court case, investigation was barred under Section 195(1)(b)(ii) CrPC. • The Chief Judicial Magistrate accepted the Final Report and rejected the protest petition. • The Revisional Court later held that Section 195(1)(b)(ii) CrPC was not applicable and remanded the matter for fresh consideration on merits. • Upon reconsideration, the CJM again rejected the protest petition on merits, holding that no prima facie case of forgery or fraud was made out against Respondent No. 2. • The revision before the Additional Sessions Judge and petition under Section 482 CrPC before the High Court were dismissed, leading to the present appeal before the Supreme Court.

Issues	1. Whether Section 195(1)(b)(ii) CrPC was attracted where the alleged forged document was prepared before it was produced in court. 2. Whether cognizance of offences under Sections 467, 468 and 471 IPC was barred in the absence of a complaint by the court. 3. Whether the materials on record disclosed a prima facie case against Respondent No. 2 for forgery and fraud.
Held	The Supreme Court held that: • Section 195(1)(b)(ii) CrPC applies only when the offence relating to a document is committed after the document has been produced or given in evidence in a court proceeding, i.e., while it is in custodia legis. • In the present case, the alleged forgery of the letter dated 10.04.1992 was committed before the letter was filed in court on 27.04.1992. • Therefore, the bar under Section 195(1)(b)(ii) CrPC was not attracted. • However, the CJM, Revisional Court and High Court had independently examined the evidence and found that no prima facie case of forgery or fraud was made out against Respondent No. 2. • The handwriting expert's opinion only indicated that the appellant's signatures were forged, but did not establish that Respondent No. 2 had forged the document. • Consequently, the Supreme Court found no infirmity in the orders of the courts below and dismissed the appeal.
Ratio Decidendi	The Supreme Court held that the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is a beneficial legislation intended to protect landowners and ensure just compensation. Since Section 74 of the Act does not expressly or impliedly exclude the application of Sections 4 to 24 of the Limitation Act, the benefit of Section 5 for condonation of delay remains available. The Court emphasized that the proviso to Section 74 merely prescribes the limitation period and does not curtail the court's power under Section 5. It further held that acquisition proceedings initiated under the 1894 Act, where no award had been passed before the commencement of the 2013 Act, must continue under the compensation framework of the 2013 Act in accordance with Section 24(1)(a). The judgment reinforces the principle that beneficial statutes should be interpreted purposively to advance their object rather than defeat substantive rights through technicalities.
Relevant para	79,83,90-97

8. Indore Development Authority v. Manoharlal & Ors.

Title	Indore Development Authority v. Manoharlal & Ors. Citation : 2020 Supreme (SC) 255; AIR 2020 SC 1496; (2020) 8 SCC 129 Civil Appeal Nos. 19356, 19362, 19361, 19358, 19357, 19360, 19359, 19363, 6239, 19364, 19412 of 2017; 12247, 10210, 10207 of 2016; 4835 of 2015 and connected matters including SLP (C) Nos. 30577–30580 of 2015 and others Decided on: 06 March 2020 Court: Supreme Court of India Bench: Arun Mishra, Indira Banerjee, Vineet Saran, M.R. Shah and S. Ravindra Bhat, JJ.
Keywords	Land Acquisition, Section 24, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Deemed Lapse, Compensation, Physical Possession, Interpretation of Statute, Repeal and Saving Clause, Panchnama, Tender of Compensation, Vesting of Land, Prospective and Retroactive Operation, Overruling of <i>Pune Municipal Corporation</i> Judgment
Brief Facts of the Case	The case arose due to conflicting interpretations of Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Earlier decisions, particularly <i>Pune Municipal Corporation v. Harakchand Misrimal Solanki</i> (2014) and <i>Sree Balaji Nagar Residents Association</i> (2015), held that acquisition proceedings would lapse if compensation was not deposited in court even though possession had been taken. Doubts regarding these decisions were raised in subsequent cases including <i>Indore Development Authority v. Shailendra</i> and other connected matters. Consequently, the issue was referred to a Constitution Bench to authoritatively interpret Section 24 and settle the law regarding deemed lapse of land acquisition proceedings initiated under the Land Acquisition Act, 1894.
Issues	- Whether acquisition proceedings lapse under Section 24(2) of the 2013 Act if either compensation has not been paid or possession has not been taken. - Whether the word "or" in Section 24(2) should be read disjunctively or conjunctively. - Whether deposit of compensation in court is mandatory for preventing lapse. - Whether concluded land acquisition proceedings can be reopened under Section 24(2). - Whether the period during which acquisition proceedings were stayed by court orders should be excluded while calculating the five-year period.
Held	The Constitution Bench held that acquisition proceedings lapse under Section 24(2) only when both conditions are satisfied simultaneously—(i)

	physical possession has not been taken and (ii) compensation has not been paid for five years or more before the commencement of the 2013 Act. The Court interpreted the word "or" in Section 24(2) as "nor"/"and" to give effect to the legislative intent. It further held that tendering compensation fulfils the obligation to pay, deposit in court is not mandatory to avoid lapse, possession can validly be taken through a panchnama, and Section 24 cannot be used to reopen concluded acquisitions. The judgments in Pune Municipal Corporation and related cases were overruled.
Ratio Decidendi	The Supreme Court held that Section 24 of the 2013 Act is intended to protect landowners from prolonged inaction by the acquiring authorities without disturbing acquisitions that have already been substantially completed. The expression "or" in Section 24(2) must be interpreted as "nor" or "and", meaning that deemed lapse occurs only where both possession has not been taken and compensation has not been paid for the prescribed period. Once possession is taken, the land vests absolutely in the State and cannot be divested merely because compensation was not deposited in court. The obligation to pay compensation is discharged by tendering the amount to the landowner; failure to accept the amount or failure to deposit it in court does not invalidate the acquisition. The Court further held that Section 24(2) is not a fresh cause of action to challenge completed acquisitions, and the period during which proceedings were stayed by judicial orders must be excluded while computing the statutory five-year period. This interpretation preserves the balance between the rights of landowners and the public purpose underlying land acquisition legislation.
Relevant para	93, 95-123,135-147,171-197,198-224,245-272,282-336,365

9. The Deputy Commissioner and Special Land Acquisition Officer v. Global Mill Limited & Ors.

Title	The Deputy Commissioner and Special Land Acquisition Officer v. Global Mill Limited & Ors. Citation: 2026 AIR (SC) 1129 Court: Supreme Court of India Judge: Hon'ble Mr. Justice M.M. Sudresh and Hon'ble Mr. Justice Satish Chandra Sharma Case No.: S.B. Civil Appeal No. 909-910 of 2026 Date of Decision: 09 February 2026
Keywords	Land Acquisition Act, 1894, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Section 24(1)(a), Section 74, Section 5, Limitation Act, 1963, Condonation of Delay, First Appeal, Compensation, Award, Acquisition Proceedings, Rehabilitation and Resettlement
Brief Facts of the Case	The batch of appeals concerned land acquisition proceedings initiated under the Land Acquisition Act, 1894, where awards were passed after the commencement of the 2013 Act.

	• The principal controversy was whether appeals against such awards would lie under Section 74 of the 2013 Act or under Section 54 of the 1894 Act. • Several appeals before different High Courts had been dismissed solely on the ground of limitation, holding that Section 5 of the Limitation Act, 1963 was inapplicable. • The Supreme Court examined the scheme of the 2013 Act, its relationship with the Limitation Act, and the nature of proceedings under Section 24(1)(a).
Issues	1. Whether Section 24(1)(a) of the 2013 Act applies where no award had been passed under the 1894 Act before the commencement of the 2013 Act. 2. Whether awards passed after 1 January 2014 are governed by the 2013 Act. 3. Whether appeals against such awards are governed by Section 74 of the 2013 Act or Section 54 of the 1894 Act. 4. Whether Section 5 of the Limitation Act, 1963 applies to appeals under Section 74 of the 2013 Act. 5. Whether delay in filing such appeals can be condoned.
Held	The Supreme Court held that: • Section 24(1)(a) applies where no award had been passed under the 1894 Act before the commencement of the 2013 Act. • Awards passed after the commencement of the 2013 Act must be made in accordance with the 2013 Act, except regarding rehabilitation and resettlement where specifically provided. • Appeals against such awards are governed by Section 74 of the 2013 Act. • Section 5 of the Limitation Act, 1963 applies to appeals under Section 74. • High Courts possess the power to condone delay upon sufficient cause. • Orders refusing to entertain appeals solely on limitation were set aside and delay condonation applications were allowed.
Ratio Decidendi	The market value of acquired land must be determined not merely on the basis of its existing agricultural use but also by considering its future potential and developmental prospects, particularly when the land is situated near urban or industrial areas. Comparable awards and neighboring sale instances may be used as guiding factors, subject to appropriate adjustments. Further, while the benefits under Sections 23(1A) and 23(2) of the Land Acquisition Act are governed by the statutory cut-off dates introduced by the 1984 Amendment, enhanced interest under Section 28 is payable where the Reference Court's award is passed after the amendment came into force. Thus, the potentiality of the land and the applicability of amended statutory benefits must be determined in accordance with the provisions of the Act.
Relevant para	4,5,6,7,8 and 9

10. Elegna Co-Op. Housing and Commercial Society Ltd. v. Edelweiss Asset Reconstruction Company Ltd.

Title	Elegna Co-Op. Housing and Commercial Society Ltd. v. Edelweiss Asset Reconstruction Company Ltd. Citation: 2026 Supreme (SC) 70; 2026 INSC 58; 2026 KHC (Online) 6047; 2026 KLT (Online) 1068 Court: Supreme Court of India Judge: Hon'ble Mr. Justice J.B. Pardiwala and Hon'ble Mr. Justice R. Mahadevan, JJ. Case No.: 10261 of 2025 (with Civil Appeal No. 10012 of 2025 – Takshashila Heights India Pvt. Ltd. v. Edelweiss Asset Reconstruction Company Ltd. & Anr.) Date of Decision: 15 January 2026
Keywords	Insolvency and Bankruptcy Code, 2016, Section 7 IBC, Corporate Insolvency Resolution Process (CIRP), Financial Debt, Default, Financial Creditor, Homebuyers, Housing Society, Locus Standi, Real Estate Insolvency, Corporate Debtor, Debt Recovery, Resolution Process, Asset Reconstruction Company
Brief Facts of the Case	The corporate debtor had borrowed financial assistance of approximately ₹70 crores, but defaulted in repayment, resulting in the loan account being classified as a Non-Performing Asset (NPA). The financial creditor, Edelweiss Asset Reconstruction Company Ltd., initiated recovery proceedings under the SARFAESI Act and subsequently filed an application under Section 7 of the Insolvency and Bankruptcy Code, 2016 for initiation of the Corporate Insolvency Resolution Process (CIRP). The NCLT dismissed the application, holding that the real estate project was substantially complete and that negotiations between the parties were continuing. On appeal, the NCLAT set aside the NCLT's order and admitted the corporate debtor into CIRP. The appellant housing society sought to intervene in the proceedings on behalf of homebuyers, but its application was rejected on the ground that it lacked the statutory locus standi under the IBC. The matter ultimately reached the Supreme Court.
Issues	1. Whether the NCLAT was justified in admitting the corporate debtor into CIRP under Section 7 of the IBC despite the claim that the real estate project was substantially complete. 2. Whether proof of financial debt and default makes admission under Section 7 mandatory. 3. Whether a housing society representing homebuyers has the locus standi to intervene in CIRP proceedings without statutory recognition under the IBC.
Held	The Supreme Court dismissed the appeals and upheld the judgment of the NCLAT. It held that once the financial creditor establishes the existence of a financial debt and default, the Adjudicating Authority is bound to admit the application under Section 7 of the IBC. Considerations such as project completion, commercial viability, or ongoing settlement discussions cannot defeat the statutory mandate. The Court further held that although homebuyers are recognised as financial creditors under the IBC, a housing

	society cannot intervene in insolvency proceedings unless it possesses statutory authority to represent the allottees.
Ratio Decidendi	The Supreme Court reiterated that the Insolvency and Bankruptcy Code is a resolution-oriented legislation, intended to ensure timely resolution of insolvency rather than serve as a mere debt recovery mechanism. Under Section 7, the role of the Adjudicating Authority is limited to determining whether a financial debt exists and whether a default has occurred. Once these jurisdictional facts are established, admission of the CIRP application is mandatory, and factors such as the progress of the real estate project or ongoing negotiations are legally irrelevant. The Court also clarified that while homebuyers enjoy the status of financial creditors, collective bodies such as housing societies can participate in insolvency proceedings only where the statute expressly recognises their representative capacity. Accordingly, the NCLAT correctly admitted the corporate debtor into CIRP and rightly rejected the intervention application of the appellant society.
Relevant para	11-14

11. In Re: 2 Million Lives At Risk, Contamination in Jojari River, Rajasthan

Title	In Re: 2 Million Lives At Risk, Contamination in Jojari River, Rajasthan Citation: 2026 Supreme(SC) 342 Court: Supreme Court of India Judge: Hon'ble Mr. Justice Vikram Nath, Hon'ble Mr. Justice Sandeep Mehta Case No.: Suo Moto Writ Petition (Civil) No. 8 of 2025 with Civil Appeal Nos. 5517–5519 of 2022 & connected matters Date of Decision: 18 March 2026
Keywords	Article 21 – Right to Clean Environment, Water Pollution, Jojari River, River Restoration, Environmental Protection, Polluter Pays Principle, Common Effluent Treatment Plant (CETP), Sewage Treatment Plant (STP), Industrial Pollution, Rajasthan State Pollution Control Board (RSPCB), High-Level Ecosystem Oversight Committee, Sustainable Development, Public Health, Environmental Governance
Brief Facts of the Case	- The Supreme Court, while hearing a suo motu writ concerning the severe contamination of the Jojari River and connected river systems in Rajasthan, examined the widespread discharge of untreated industrial effluents and municipal sewage from the districts of Jodhpur, Pali and Balotra. Earlier, by order dated 21 November 2025, the Court had permitted implementation of the National Green Tribunal's remedial directions and constituted a High-Level Ecosystem Oversight Committee headed by Justice (Retd.) Sangeet Lodha to monitor restoration of the river system. - The Committee conducted extensive field inspections and found large-scale environmental degradation caused by non-functional

	and inadequate CETPs and STPs, illegal industrial discharge, contaminated groundwater, destruction of agricultural land, damage to public infrastructure, and serious threats to public health and biodiversity. The Committee also reported prolonged administrative failure, regulatory inaction and deliberate attempts to conceal environmental violations. Based on the Committee's findings, the Supreme Court considered the necessity of issuing comprehensive directions for restoration of the river ecosystem and ensuring strict compliance with environmental laws.
Issues	1. Whether the continuing pollution of the Jojari River violated the fundamental right to life under Article 21 of the Constitution. 2. Whether the State Government and statutory authorities had failed to discharge their constitutional and statutory duties in preventing industrial and municipal pollution. 3. Whether comprehensive judicial directions were necessary to restore the river ecosystem, strengthen pollution control mechanisms and ensure accountability of polluters and public authorities.
Held	• The Supreme Court held that access to clean water and a pollution-free environment forms an inseparable part of the fundamental right to life under Article 21 of the Constitution. The material placed before the Court established persistent and systemic failure of governmental authorities in preventing pollution and enforcing environmental laws. Accepting the findings and recommendations of the High-Level Ecosystem Oversight Committee, the Court approved its directions as interim directions of the Court and mandated strict compliance by all concerned authorities. It directed immediate strengthening of pollution control infrastructure, prohibition of illegal discharge of industrial effluents, restoration of the natural river system, scientific disposal of hazardous waste, augmentation of CETPs and STPs, technological monitoring, enforcement of the Polluter Pays Principle, and continuous oversight for ecological restoration.
Ratio Decidendi	The Supreme Court reaffirmed that the right to life guaranteed under Article 21 includes the right to clean water and a pollution-free environment, making environmental protection a constitutional obligation of the State. The Court observed that environmental governance cannot be reduced to mere regulatory formalities where continued industrial activity results in irreversible ecological damage and public health hazards. It found that repeated judicial interventions had failed because of institutional apathy, weak enforcement, inadequate treatment infrastructure, and deliberate attempts to conceal violations. The Court emphasized that authorities such as the State Government, RIICO, RSPCB, municipal bodies and industrial establishments are under a continuing duty to prevent pollution through

	effective monitoring, scientific treatment of waste, technological surveillance, strict enforcement of statutory standards and application of the Polluter Pays Principle. Judicial intervention becomes necessary where executive authorities fail to protect fundamental rights. Accordingly, the Court endorsed comprehensive remedial measures for river restoration, strengthened institutional accountability, technological monitoring, environmental compensation and long-term ecological rehabilitation so that the constitutional guarantee of a healthy environment is effectively realized.
Relevant para	42-49, 50 and 56

12. Golden Food Products India v. State of Uttar Pradesh & Others

Title	Golden Food Products India v. State of Uttar Pradesh & Others Citation: 2026 Supreme(SC) 28 Court: Supreme Court of India Judge: Hon'ble Mr. Justice Vikram Nath, Hon'ble Mr. Justice Sandeep Mehta Case No.: Suo Moto Writ Petition (Civil) No. 8 of 2025 with Civil Appeal Nos. 5517–5519 of 2022 & connected matters Date of Decision: 18 March 2026
Keywords	Public Auction, Industrial Plot, Highest Bidder, Cancellation of Auction, Legitimate Expectation, Judicial Review, Article 14, Arbitrariness, Ghaziabad Development Authority (GDA), Reserve Price, Public Interest, State Instrumentality, Allotment of Industrial Plot
Brief Facts of the Case	The Ghaziabad Development Authority (GDA) invited bids through a public auction for the allotment of industrial plots, including Plot No. 26 measuring 3150 sq. metres. The auction was conducted through a two-bid system consisting of technical and financial bids. The appellant, Golden Food Products India, successfully qualified in the technical bid and offered ₹29,500 per sq. metre, which was higher than the reserve price of ₹25,600 per sq. metre. The appellant was declared the highest bidder. However, instead of issuing an allotment letter, GDA cancelled the auction on the ground that smaller industrial plots in the same scheme had fetched much higher prices per square metre and decided to conduct a fresh auction. The appellant challenged the cancellation before the Allahabad High Court, but both writ petitions were dismissed. Aggrieved, the appellant approached the Supreme Court, contending that the cancellation was arbitrary, based on irrelevant considerations, and violative of Article 14 of the Constitution.
Issues	1. Whether the Ghaziabad Development Authority could cancel a valid public auction merely because it expected to obtain a higher price in a subsequent auction. 2. Whether comparison of the bid for a large industrial plot with the prices fetched by much smaller plots constituted a valid ground for cancellation.

	3. Whether the High Court was justified in refusing relief to the appellant despite the absence of fraud, collusion, or any illegality in the auction process.
Held	The Supreme Court allowed the appeals and held that the cancellation of the auction by GDA was arbitrary, irrational and violative of Article 14 . The Court observed that the appellant had submitted the highest bid, which was above the reserve price, and there was no allegation of fraud, collusion, suppression or irregularity in the auction. GDA could not cancel the auction merely because smaller plots had fetched higher prices or because it expected a better price in a future auction. Such cancellation undermined the sanctity of public auctions and was based on irrelevant considerations. The Court set aside the High Court's judgments, quashed the cancellation of the auction, and directed the appellant to re-deposit the earnest money, upon which GDA was directed to issue the allotment letter and complete the auction process.
Ratio Decidendi	The Supreme Court held that a public auction conducted in accordance with law possesses sanctity and cannot be cancelled on arbitrary or extraneous grounds. Where the highest bid is above the reserve price and the auction process is free from fraud, collusion, or procedural irregularity, the auctioning authority cannot reject the highest bid merely because it hopes to secure a higher price in a subsequent auction. The Court emphasized that comparing a large industrial plot with much smaller plots for determining adequacy of price is irrational because demand, marketability and valuation differ significantly. Such arbitrary action by a State instrumentality violates Article 14 of the Constitution. The Court further held that the highest bidder acquires a legitimate expectation of fair treatment and, in the absence of valid reasons, the authority is duty-bound to complete the allotment. Public interest cannot be invoked as a mere pretext for cancelling a lawful auction or defeating the rights arising from a valid bidding process.
Relevant para	25-29,30-32,33

13. Adani Gas Limited & Another v. Union of India & Others

Title	Adani Gas Limited & Another v. Union of India & Others Citation: 2019 Supreme(SC) 89 Court: Supreme Court of India Judge: Hon'ble Mr. Justice Arun Mishra, Hon'ble Mr. Justice Vineet Saran Case No.: Civil Appeal No. 1261 of 2019 (arising out of SLP (C) No. 21986 of 2015) Date of Decision: 29 January 2019
Keywords	Petroleum and Natural Gas Regulatory Board (PNGRB), City Gas Distribution (CGD), Deemed Authorisation, Regulation 18, Section 16 & Section 17, PNGRB Act, 2006, Natural Gas Distribution Network, No Objection Certificate (NOC), Administrative Fairness, Personal Hearing,

	Regulatory Discretion, Mandatory vs. Directory Provisions, Judicial Review
Brief Facts of the Case	The Government of Rajasthan invited bids in 2005 for establishing City Gas Distribution (CGD) networks in Udaipur and Jaipur. Adani Gas Limited was selected, granted a No Objection Certificate (NOC) in March 2006, deposited a commitment fee of ₹2 crore, and commenced laying gas pipelines after making substantial investments. Subsequently, the Petroleum and Natural Gas Regulatory Board Act, 2006 and the PNGRB Regulations, 2008 came into force, requiring entities to obtain authorisation from the Board. Adani applied for authorisation under Regulation 18 and also claimed the benefit of "deemed authorisation" under Section 16 of the Act. However, in May 2011, the Rajasthan Government revoked the NOC and forfeited the commitment fee, while the PNGRB rejected Adani's application primarily on the ground that it had not achieved the minimum physical and financial progress prescribed under Regulation 18(2)(d). The Rajasthan High Court upheld these actions, leading to the present appeal before the Supreme Court.
Issues	1. Whether the criteria under Regulation 18(2)(a) to (j) of the PNGRB Regulations, 2008 are mandatory or merely directory while considering an application for authorisation. 2. Whether the PNGRB was justified in rejecting Adani Gas Limited's application solely on the basis of non-compliance with Regulation 18(2)(d). 3. Whether the Board and the State Government acted fairly in rejecting the application and revoking the NOC without properly considering the appellant's investments, deemed authorisation, and submissions.
Held	The Supreme Court allowed the appeal and held that the PNGRB acted illegally in rejecting the appellant's application solely on the basis of Regulation 18(2)(d). The Court ruled that the criteria under Regulation 18(2)(a) to (j) are directory and not mandatory, and the Board must consider all relevant factors collectively rather than treating any single criterion as decisive. It further held that the Board failed to consider the appellant's substantial investments, the effect of the press note dated 30 October 2007, and the claim of deemed authorisation under Section 16 of the PNGRB Act. The Court also held that the Rajasthan Government acted unfairly and unjustly in revoking the NOC and forfeiting the commitment fee without adequately considering the appellant's reply. Accordingly, both orders were quashed, and the matter was remitted to the Board for fresh consideration after granting the appellant a proper hearing.
Ratio Decidendi	The Supreme Court held that Regulation 18(2) of the PNGRB Regulations employs the expression "may take into consideration", which clearly indicates that the factors enumerated in clauses (a) to (j) are directory and not mandatory. Therefore, the Board cannot reject an application solely because the applicant fails to satisfy one criterion, particularly Regulation 18(2)(d), without evaluating the remaining relevant considerations. The Court emphasized that administrative authorities must exercise their discretion reasonably, fairly, and by considering the totality of

	circumstances, including the applicant's investments, progress made, existing permissions, and statutory claim to deemed authorisation under Section 16. The principles of natural justice also require that the applicant be granted an effective hearing and that the authority record reasons after considering all relevant materials. An administrative decision ignoring relevant factors and relying exclusively on one criterion is arbitrary, legally unsustainable, and liable to be set aside under judicial review.
Relevant para	13-18,19,20-22,23-24

14. Rajasthan State Industrial Development & Investment Corporation Ltd. v. Akshey Singh & Others.

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. v. Akshey Singh & Others Citation: 2000 WLC 523 (Raj.) Court: Rajasthan High Court, Jaipur Bench Judge: Hon'ble Mr. Justice P.P. Naolekar Case No.: S.B. Civil Appeal No. 419 of 1998 and connected appeals Date of Decision: 05 April 2000
Keywords	Land Acquisition, Compensation, Market Value, Determination of Compensation, Potential Value of Land, Industrial Development, RIICO Comparable Sale Instances, Sale Deeds, Neighbouring Land, Land Acquisition Act, 1894, Sections 4, 6, 17, 18, 23(1A), 23(2) & 28, Reference Court, Enhanced Compensation, Enhanced Interest Solatium, Order XLI Rule 33 CPC, Applicability of Land Acquisition (Amendment) Act, 1984, Section 28 Interest, Acquisition for Public Purpose, Industrial Area Development, Comparable Sales Method, Potential Use of Land, Appellate Jurisdiction
Brief Facts of the Case	• The High Court set aside the cancellation orders and restored A notification under Section 4 of the Land Acquisition Act, 1894 was issued on 09.04.1975 for acquisition of approximately 1257 bighas of land situated in villages Harmara, Badharna and Ankra Doonger for the industrial development activities of RIICO. • Subsequently, notifications under Sections 6 and 17 of the Act were issued on 03.07.1975 and notices under Section 9 were served upon the interested persons. Possession of 479 bighas and 12 biswas of land was delivered to RIICO on 30.09.1978. • The Land Acquisition Officer passed an award on 01.06.1979 awarding compensation at the rate of Rs.5,000 per bigha. Dissatisfied with the compensation, the landowners sought references under Section 18 of the Act. • The Reference Court consolidated all the reference applications and recorded evidence. The claimants relied upon sale deeds of neighbouring lands and previous awards relating to lands acquired under the same notification. The Reference Court enhanced the

	compensation to Rs.15,000 per bigha but denied additional compensation under Section 23(1A), enhanced solatium under Section 23(2), and enhanced interest under Section 28. RIICO challenged the enhancement of compensation, whereas some claimants sought further enhancement to Rs.20,000 per bigha and claimed statutory benefits under the amended provisions of the Land Acquisition Act.
Issues	- Whether the Reference Court was justified in enhancing compensation from Rs.5,000 per bigha to Rs.15,000 per bigha. - Whether the market value of the acquired land should be determined considering the future potential and non-agricultural use of the land. - Whether sale deeds relating to small parcels of neighbouring lands could be relied upon for determining market value. - Whether the claimants were entitled to benefits under Sections 23(1A) and 23(2) as amended by the Land Acquisition (Amendment) Act, 1984. - Whether the claimants were entitled to enhanced interest under Section 28 of the amended Act. - Whether the appellate court could grant statutory benefits under Order XLI Rule 33 CPC even in the absence of separate appeals by all claimants.
Held	The Rajasthan High Court dismissed the appeals filed by RIICO and upheld the enhancement of compensation to Rs.15,000 per bigha. - The Court held that: - The Reference Court correctly assessed the market value after considering the location, surrounding development, industrial potential, and previous awards relating to lands acquired under the same notification. - Small sale transactions and old sale deeds cannot by themselves determine market value, though they may serve as guiding factors. - The claimants were not entitled to additional compensation under Section 23(1A) or enhanced solatium under Section 23(2) because the acquisition proceedings fell outside the time limits prescribed under the 1984 Amendment Act. - The claimants, however, were entitled to enhanced interest under Section 28 of the Act because the award of the Reference Court was passed after the amendment came into force. - Interest at 9% per annum for one year from the date of possession and thereafter at 15% per annum till payment was directed to be paid.

	Accordingly, the decree of the Reference Court was modified only to the extent of granting enhanced interest.
Ratio Decidendi	The market value of acquired land must be determined not merely on the basis of its existing agricultural use but also by considering its future potential and developmental prospects, particularly when the land is situated near urban or industrial areas. Comparable awards and neighboring sale instances may be used as guiding factors, subject to appropriate adjustments. Further, while the benefits under Sections 23(1A) and 23(2) of the Land Acquisition Act are governed by the statutory cut-off dates introduced by the 1984 Amendment, enhanced interest under Section 28 is payable where the Reference Court's award is passed after the amendment came into force. Thus, the potentiality of the land and the applicability of amended statutory benefits must be determined in accordance with the provisions of the Act.
Relevant para	4,5,6,7,8 and 9

15. The Rajasthan State Industrial Development and Investment Corporation v. Shiv Lal

Title	The Rajasthan State Industrial Development and Investment Corporation Ltd. & Another v. Diamond and Gem Development Corporation Ltd. & Another Citation: 2019 Supreme (Raj.) 1808 Court: Rajasthan High Court Bench: Hon'ble Mr. Justice Pushpendra Singh Bhati Case No.: Civil Miscellaneous Appeal No. 891 of 2001 along with Civil Cross Objection No. 15 of 2002 Date of Decision: 30 October 2019.
Keywords	Land Acquisition, Rajasthan Land Acquisition Act, Determination of Market Value, Enhancement of Compensation, Reference Court, Industrial Land Acquisition, RIICO, Compensation for Acquired Land, Comparable Market Value, Solatium, Additional Compensation, Interest on Compensation, Compensation for Trees, Compensation for Fencing, Land Acquisition Officer (LAO), Civil Miscellaneous Appeal, Cross Objection, Judicial Review of Compensation Award, Public Purpose, Acquisition for Industrial Development
Brief Facts of the Case	- The land measuring 4 bighas comprised in Khasra No. 886/1 situated at Dungarpur was acquired for the benefit of RIICO pursuant to a notification issued under Section 4(1) of the Rajasthan Land Acquisition Act on 08.02.1990. Subsequently, a declaration under Section 6 was issued on 24.01.1991 and the Sub-Divisional Officer, Dungarpur was appointed as the Land Acquisition Officer. - The Land Acquisition Officer assessed the normal market price of the land at Rs.55,000 per bigha but awarded compensation at the rate of Rs.41,250 per bigha. The claimants were also granted statutory benefits including additional amount and solatium. Dissatisfied with the compensation, the landowners sought a

	reference under Section 18 and claimed compensation at Rs.80,000 per bigha along with compensation for trees and fencing. The Reference Court enhanced the compensation to Rs.80,000 per bigha and awarded Rs.10,000 towards trees and Rs.5,000 towards fencing. RIICO challenged the enhancement by filing an appeal, whereas the claimants filed cross-objections seeking further solatium and enhanced interest.
Issues	6. Whether the Reference Court was justified in enhancing the compensation from Rs.41,250 per bigha to Rs.80,000 per bigha. 7. Whether the compensation awarded for trees and fencing was justified. 8. Whether the claimants were entitled to additional solatium and enhanced benefits. 9. Whether the judgment and award of the Reference Court required interference by the High Court.
Held	The Rajasthan High Court dismissed both the appeal filed by RIICO and the cross-objections filed by the claimants. The Court held that the compensation of Rs.80,000 per bigha awarded by the Reference Court was reasonable and fell within the range of valuation already indicated by the Land Acquisition Officer. The amounts awarded for trees and fencing were also found to be justified. Since solatium had already been granted by the Land Acquisition Officer, the claimants were not entitled to any further relief. Accordingly, the award of the Reference Court was affirmed.
Ratio Decidendi	The Court held that compensation awarded by the Reference Court should not be interfered with when it is supported by the evidence on record and falls within the range of valuation indicated by the Land Acquisition Officer. Compensation for ancillary losses such as trees and fencing, as well as statutory benefits already granted, cannot be disturbed in the absence of any legal or factual error. Thus, appellate interference in land acquisition awards is warranted only when the determination of compensation is shown to be arbitrary or unjustified.
Relevant para	4,6,8-9

16. Brij Mohan Jain S/o Dal Chand Jain v. State of Rajasthan & Others

Title	Brij Mohan Jain S/o Dal Chand Jain v. State of Rajasthan & Others Citation : 2021 Supreme (Raj.) 2080 : 2022 (1) WLC (Raj.) 238 Court : Rajasthan High Court, Jaipur Bench Coram : Hon'ble Mr. Justice Akil Kureshi and Hon'ble Mr. Justice Uma Shanker Vyas Case No. : D.B. Special Appeal Writ No. 999 of 2021 Date of Decision : 15 December 2021
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Keywords	Land Acquisition, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Section 24(2), Act of 2013, Land Acquisition Act, 1894, Section 6 Declaration, Section 11 Award Lapse of Acquisition Proceedings, Payment of Compensation, Deposit of Compensation in Reference Court, Taking of Possession, Panchnama, Reference Court, Constitution Bench, Indore Development Authority v. Manoharlal, Conditions for Lapse of Acquisition, Judicial Review
Brief Facts of the Case	• The appellant was the owner of land bearing Khasra No. 433 situated at Village Karoli, Tehsil Tijara, District Alwar. The land was acquired by RIICO for industrial purposes pursuant to a notification under Section 4 of the Land Acquisition Act, 1894 issued on 23.09.1997 and published in the Official Gazette on 04.10.1997. • After completion of the acquisition proceedings, the Land Acquisition Officer passed an award under Section 11 of the Act on 12.01.2001. Most of the landowners accepted the compensation, but the appellant and certain other landowners did not. Consequently, the compensation amount was deposited before the Reference Court on 14.11.2008, and possession of the acquired land was taken on 24.12.2008 through a panchnama. • The appellant filed a writ petition in 2018 contending that neither compensation had been paid nor possession had been taken and, therefore, the acquisition proceedings had lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The learned Single Judge dismissed the writ petition relying upon the Constitution Bench judgment in Indore Development Authority v. Manoharlal. Aggrieved thereby, the appellant preferred the present special appeal.
Issues	4. Whether the acquisition proceedings initiated under the Land Acquisition Act, 1894 had lapsed under Section 24(2) of the 2013 Act. 5. Whether non-payment of compensation and non-taking of possession were established by the appellant. 6. Whether deposit of compensation before the Reference Court constitutes payment or tender of compensation. 7. Whether the learned Single Judge was justified in dismissing the writ petition by relying upon the decision in Indore Development Authority v. Manoharlal.
Held	• The Division Bench dismissed the appeal and affirmed the judgment of the learned Single Judge. The Court held that the compensation had already been deposited before the Reference Court on 14.11.2008 and possession of the acquired land had been taken on 24.12.2008 while the Land Acquisition Act, 1894 was still in force. • The Court further held that in view of the Constitution Bench decision in Indore Development Authority v. Manoharlal, the acquisition can lapse under Section 24(2) of the 2013 Act only if

	both conditions, namely non-payment of compensation and non-taking of possession, are simultaneously satisfied. Since neither of these conditions existed in the present case, the acquisition proceedings did not lapse. Accordingly, the appeal was dismissed.
Ratio Decidendi	For the acquisition proceedings to lapse under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, both conditions of non-payment of compensation and non-taking of possession must coexist. Deposit of compensation before the Reference Court amounts to valid tender of compensation, and once possession has been lawfully taken, the acquisition does not lapse. Thus, failure to establish either of the two conditions is sufficient to defeat a claim under Section 24(2).
Relevant para	2,4 and 6

17. Ratna Devi & Another v. State of Rajasthan & Others

Title	Ratna Devi & Another v. State of Rajasthan & Others Citation: 1995 Supreme (Raj.) 876 : 1996 (1) WLC 371 Court: Rajasthan High Court, Jaipur Bench Judge: Hon'ble Mr. Justice V.K. Singhal Case No.: S.B. Civil Writ Petition No. 5615 of 1991 Date of Decision: 20 June 1995.
Keywords	Land Acquisition, Land Acquisition Act, 1894, Section 4 Notification, Section 6 Declaration, Public Notice, Compliance with Public Notice, Service of Notice, Correct Description of Property, Incorrect Mention of Owner's Name, Mutation of Land Records, Revenue Records, Validity of Acquisition Proceedings, Acquisition Notification, Tehsildar's Report, Land Acquisition Officer, RIICO, Burden of Proof, Procedural Irregularity, Natural Justice, Writ Petition
Brief Facts of the Case	• The petitioners challenged the land acquisition proceedings on two principal grounds. Firstly, it was contended that there was no proper public notice as required under Section 4 of the Land Acquisition Act, 1894, and merely forwarding information to the Tehsildar could not amount to compliance with the statutory requirement. • Secondly, the petitioners argued that the notifications issued under Sections 4 and 6, as well as the award, mentioned the names of previous owners instead of the petitioners, although the petitioners' names had already been mutated in the revenue records before issuance of the notification under Section 4. • The State opposed the petition by relying upon earlier decisions of the High Court wherein it had been held that proper description of the acquired property is the material requirement and that incorrect mention of the previous owner's name would not invalidate the acquisition proceedings. The matter was considered in light of the

	earlier decisions of the High Court in <i>Daya Dhanna v. State</i> and <i>RIICO v. Sudesh Gogia</i>
Issues	6. Whether there was non-compliance with the requirement of public notice under Section 4 of the Land Acquisition Act, 1894. 7. Whether the acquisition proceedings stood vitiated because the names of the previous owners were mentioned in the notifications and award instead of the names of the actual landowners. 8. Whether incorrect description of ownership in acquisition proceedings renders the entire acquisition invalid.
Held	• The High Court dismissed the writ petition and held that the requirement of public notice under Section 4 had been duly complied with. The Court further held that where the property is properly identified and described in the notification, the mere mention of the name of the previous owner instead of the present owner does not invalidate the acquisition proceedings. • The Court also observed that repeated disputes regarding incorrect recording of landowners' names required administrative corrective measures. Accordingly, the Chief Secretary, Government of Rajasthan, was directed to issue instructions to the concerned authorities and Tehsildars to ensure that correct names of landowners are obtained and recorded in acquisition proceedings.
Ratio Decidendi	Compliance with the statutory requirement of public notice under Section 4 and proper identification of the acquired property are the essential requirements of a valid acquisition. Mere incorrect mention of the name of a previous owner, despite accurate description of the property, does not vitiate the acquisition proceedings. Errors relating to ownership particulars are curable administrative defects and do not invalidate the acquisition unless prejudice is shown to have been caused to the landowner.
Relevant para	2 & 3

18. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) v. State of Rajasthan & Others

Title	Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) v. State of Rajasthan & Others Citation: 2001 Supreme (Raj.) 943 Court: Rajasthan High Court Judge: Hon'ble Mr. Justice K.S. Rathore Case No.: S.B. Civil Writ Petition No. 4608 of 1995 Date of Decision: 31 August 2001.
Keywords	Land Acquisition, Rajasthan Land Acquisition Act, 1953, Section 6 Notification, Section 17(4), Section 9 Notice, Section 13A, Section 23, Section 34, Section 56, Land Acquisition (Rajasthan Amendment) Act,

	1987, Additional Compensation, Additional Solatium, Interest on Compensation, Modified Award, Finality of Award, Limitation, Reasonable Time, Challenge to Award, Correction of Award, Collector's Powers, Delay and Laches, Second Award, Judicial Review, Industrial Land Acquisition, Compensation Determination, Award Modification, Time-barred Claim
Brief Facts of the Case	The State Government issued a notification dated 18.07.1979 for acquisition of land situated at Village Jhalana Chod, Tehsil Sanganer, District Jaipur. The declaration under Section 6 of the Rajasthan Land Acquisition Act, 1953 was issued on 22.06.1982, followed by notifications under Section 17(4) and notice under Section 9. The land measuring 14 bighas 10 biswas belonging to respondents Nos. 3 and 4 was acquired for RIICO. The Land Acquisition Officer passed an award on 14.05.1984, which was subsequently modified on 28.11.1985. The compensation awarded under these awards was paid to the landowners, who did not challenge either award at the relevant time. After more than six years from the original award and about five years from the modified award, the landowners submitted an application on 05.04.1990 claiming additional solatium under Section 23(1A) and enhanced interest under Section 34 of the Land Acquisition Act. Acting upon the application, the Land Acquisition Officer passed another award dated 27.04.1995 revising the compensation and granting additional benefits. RIICO challenged this second award by filing the present writ petition, contending that the Land Acquisition Officer had no jurisdiction to reopen the concluded award after the expiry of the statutory period.
Issues	1. Whether the Land Acquisition Officer could reopen and revise the award after the expiry of the statutory period. 2. Whether the application filed by the landowners after several years seeking additional compensation, solatium, and interest was maintainable. 3. Whether Section 13-A of the Land Acquisition Act permitted correction or modification of the award after the prescribed limitation period. 4. Whether the second award dated 27.04.1995 was legally sustainable.
Held	• The High Court allowed the writ petition and quashed the second award dated 27.04.1995. • The Court held that the respondents had not challenged the original award dated 14.05.1984 or the modified award dated 28.11.1985 within the prescribed period. The application seeking additional benefits was filed after an unreasonable delay and far beyond the period contemplated under Section 13-A of the Act.

	The Court further held that the Land Acquisition Officer had no authority to reopen the concluded award and grant additional compensation after the expiry of the limitation period. Consequently, the second award dated 27.04.1995 was set aside, and the original and modified awards were upheld.
Ratio Decidendi	An award under the Land Acquisition Act attains finality if it is not challenged within the prescribed or reasonable period. The power under Section 13-A is limited to correction of clerical or arithmetical mistakes and cannot be exercised to reopen concluded awards after expiry of limitation. Claims for additional compensation, solatium, or interest raised after an inordinate delay are not maintainable, and the Land Acquisition Officer lacks jurisdiction to revise a final award beyond the statutory period.
Relevant para	19, 20 and 21

19. Balu Singh & Others v. State of Rajasthan & Others

Title	Balu Singh & Others v. State of Rajasthan & Others Citation: 2021 Supreme (Raj.) 1732 Court: Rajasthan High Court, Jodhpur Bench Bench: Hon'ble Mr. Justice Dinesh Mehta and Hon'ble Mr. Justice Arun Bhansali Case: D.B. Civil Writ Petition (connected matters) Date of Decision: 2021.
Keywords	Land Acquisition Act, 1894, Section 4 Notification, Section 5A Objections Section 6 Declaration, Industrial Area Development, Public Purpose, Validity of Land Acquisition, Challenge to Acquisition Proceedings, Delay and Laches Award, Compensation, Developed Land in Lieu of Compensation, 25% Developed Land Policy, Cash Compensation, Publication of Notification, Compliance with Statutory Procedure, Mandatory Requirements, Wide Circulation of Newspapers, Mutation of Acquired Land, Environmental Clearance, Judicial Review under Article 226, Public Interest
Brief Facts of the Case	- The petitioners, who were khatedars of agricultural lands situated at Villages Kankani and Kharabera Purohitan, District Jodhpur, challenged the acquisition proceedings initiated for establishment of a new industrial area by RIICO. Notification under Section 4 of the Land Acquisition Act, 1894 was issued on 05.06.2012, followed by a declaration under Section 6 on 04.06.2013 and the final award dated 04.08.2015. - The petitioners contended that the acquisition proceedings suffered from several defects, including inadequate publication of notifications, acquisition of fertile multi-cropped land, environmental concerns owing to the proximity of the Luni River, existence of an HPCL pipeline beneath part of the land, and adoption of a pick-and-choose method by excluding certain parcels from acquisition. They also alleged non-compliance with the

	statutory requirements regarding publication in newspapers having adequate circulation. The respondents opposed the petitions by submitting that the acquisition was undertaken for an important public purpose, namely establishment of a new industrial area for Jodhpur. It was further submitted that compensation had already been deposited, most landowners had accepted compensation or the rehabilitation package of developed land, and possession had already been taken. The State had also approved allotment of 25% developed land in lieu of compensation to eligible khatedars.
Issues	- Whether the acquisition proceedings were liable to be quashed on the ground of defective publication under Section 4 of the Land Acquisition Act, 1894. - Whether environmental concerns and the proximity of the Luni River rendered the acquisition invalid. - Whether exclusion of certain parcels of land amounted to arbitrary pick-and-choose acquisition. - Whether the challenge to the acquisition proceedings and final award suffered from delay and laches. - Whether public interest in establishing a new industrial area outweighed the objections raised by the petitioners.
Held	- The High Court dismissed the writ petitions and upheld the acquisition proceedings. The Court held that the notifications had been duly published in recognized newspapers having sufficient circulation in the concerned locality, thereby satisfying the requirements of Section 4(1) of the Act. - The Court further held that compensation had already been deposited and disbursed to most landowners, the acquired land had been mutated in favour of RIICO, and many similarly situated landowners had accepted compensation or the developed land scheme. The challenge to the acquisition was found to be belated. - The Court observed that establishment of a separate industrial area was in larger public interest and would promote industrial development, employment generation and economic growth in the region. Since no violation of any mandatory statutory provision was established, no interference with the acquisition proceedings was warranted.
Ratio Decidendi	Where land acquisition for an industrial area serves a genuine public purpose and the statutory requirements regarding notification, publication and compensation have been substantially complied with, the acquisition cannot be set aside merely on environmental apprehensions, allegations of selective acquisition or delayed challenges. Once compensation has been deposited, possession taken and public interest substantially advanced, courts ordinarily refrain from interfering with acquisition proceedings,

	particularly in the absence of any violation of mandatory statutory provisions.
Relevant para	21-22,25-26,28, 30-32

20. Om Prakash & Others v. State of Rajasthan & Others

Title	Om Prakash & Others v. State of Rajasthan & Others Citation: 2021 Supreme (Raj.) 2050 : 2022 (1) RLW (Raj.) 117 Court: Rajasthan High Court, Jaipur Bench Judge: Hon'ble Mr. Justice Inderjeet Singh Case No.: S.B. Civil Writ Petition No. 16696 of 2012 Date of Decision: 17 November 2021.
Keywords	Land Acquisition Act, 1894, Section 4 Notification, Section 5A Objections Section 6 Declaration, Written Objections under Section 5A, Public Purpose, RIICO Industrial Area, Extension of Industrial Area, Judicial Review under, Article 226, Delay and Laches, Estoppel, Challenge to Acquisition Proceedings, Natural Justice, Collector's Report, Government's Satisfaction under Section 6, Oral Objections, Residential Plot in Lieu of Compensation Discretion of the State Government, Comparable Treatment, Acquisition for Industrial Development
Brief Facts of the Case	• The State Government initiated acquisition proceedings for extension of the existing RIICO Industrial Area. A notification under Section 4 of the Land Acquisition Act, 1894 was issued on 27.01.2009 and published in the Official Gazette on 04.02.2009. The substance of the notification was published locally and in two newspapers. The petitioners' lands comprised in Khasra Nos. 1409, 1410 and 1396 were included in the proposed acquisition. • The petitioners did not submit any written objections under Section 5A of the Act within the prescribed period, though they allegedly raised oral objections before the Land Acquisition Officer. The Land Acquisition Officer considered the objections and passed an order dated 16.06.2010, following which the declaration under Section 6 was issued on 28.06.2010. The final award was passed on 03.08.2012. • The petitioners challenged the acquisition proceedings, contending that their objections had not been properly considered, that some lands had been excluded from acquisition resulting in discrimination, that their land was situated at the corner of the proposed scheme and need not have been acquired, and that adequate compensation had not been paid. The respondents opposed the petition on the ground that no written objections had been filed and that the acquisition was for a public purpose, namely extension of the RIICO Industrial Area.

Issues	1. Whether the acquisition proceedings were liable to be quashed for non-consideration of the petitioners' objections under Section 5A of the Land Acquisition Act, 1894. 2. Whether oral objections without filing written objections under Section 5A conferred any enforceable right upon the petitioners. 3. Whether exclusion of certain parcels of land amounted to hostile discrimination. 4. Whether the Court should interfere with the acquisition proceedings undertaken for extension of the RIICO Industrial Area.
Held	• The High Court dismissed the writ petition. The Court held that admittedly the petitioners had not filed written objections under Section 5A of the Land Acquisition Act within the prescribed period and, therefore, could not challenge the acquisition on the ground that their objections were not properly considered. • The Court further held that acquisition of the land was for a genuine public purpose, namely extension of the existing RIICO Industrial Area. Merely because some lands were excluded from acquisition, the petitioners could not claim identical treatment, as it is for the State Government to determine which land is required for the public purpose. • The Court also observed that a Coordinate Bench had already upheld the same acquisition proceedings in an earlier case. Consequently, no case for interference under Article 226 of the Constitution was made out and the writ petition was dismissed
Ratio Decidendi	The right of objection under Section 5A of the Land Acquisition Act can be exercised only by filing written objections within the prescribed period. Mere oral objections do not satisfy the statutory requirement and cannot invalidate the acquisition proceedings. Where land is acquired for a legitimate public purpose and the State Government has taken a final decision regarding the extent of acquisition, the exclusion of some parcels of land does not by itself constitute discrimination. Courts ordinarily do not interfere with acquisition proceedings in the absence of statutory violation or arbitrariness.
Relevant para	11,15-16

21. Pushpa Devi & Others v. State of Rajasthan & Others

Title	Pushpa Devi & Others v. State of Rajasthan & Others
	Citation: 2024 Supreme Online Raj 31876

	Court: Rajasthan High Court, Jodhpur Bench Bench: Hon'ble Mr. Justice Dinesh Mehta and Hon'ble Mr. Justice Arun Bhansali Case: D.B. Special Appeal (Writ) Year of Decision: 2024.
Keywords	Land Acquisition Act, 1894, Section 4 Notification, Section 5A Objections, Section 6 Declaration, Compliance with Section 5A, Principles of Natural Justice, Hearing of Objections, Land Acquisition Officer (LAO), Timeliness of Section 6 Declaration, Limitation under Section 6, Publication of Notification, Alternative Land (Charagah Land), Environmental Concerns, Wildlife Sanctuary, Judicial Review under Article 226, Validity of Acquisition Proceedings, Government Satisfaction, Acquisition for Industrial Area
Brief Facts of the Case	• The appellants challenged the acquisition proceedings initiated for establishment of an industrial area by RIICO. The acquisition proceedings commenced with the issuance of a notification under Section 4(1) of the Land Acquisition Act, 1894 on 05.06.2012, which was published in the Gazette on 19.06.2012, in newspapers on 20.06.2012 and was affixed at the site on 27.06.2012. • The Land Acquisition Officer considered the objections submitted by the affected landowners and submitted a report under Section 5A on 13.06.2013, which was subsequently amended on 22.07.2013. Thereafter, the declaration under Section 6 was made on 24.06.2013 and later published in the Gazette and newspapers. • The appellants contended that the declaration under Section 6 had been issued beyond the limitation period prescribed under the first proviso to Section 6(1) of the Act and that there was non-compliance with Section 5A. It was also argued that alternative land, particularly charagah (grazing) land, was available and therefore the acquired land need not have been acquired. • The learned Single Judge dismissed the writ petition, and the appellants preferred the present special appeals challenging the said judgment.
Issues	1. Whether the declaration under Section 6 of the Land Acquisition Act, 1894 was barred by limitation under the first proviso to Section 6(1). 2. Whether there was non-compliance with the provisions of Section 5A of the Act. 3. Whether the availability of alternative land rendered the acquisition invalid. 4. Whether the learned Single Judge was justified in dismissing the writ petition.

Held	• The Division Bench dismissed the special appeals and affirmed the judgment of the learned Single Judge. • The Court held that for determining compliance with the limitation prescribed under Section 6(1), the relevant date is the making of the declaration and not its subsequent publication. Since the declaration under Section 6 was made on 24.06.2013, within one year from the date of publication of the Section 4 notification, the acquisition proceedings were valid. • The Court further held that the objections filed by the landowners had been duly considered by the Land Acquisition Officer and the report under Section 5A demonstrated compliance with the statutory requirement. The contention regarding availability of alternative charagah land was also rejected. Consequently, no ground for interference with the acquisition proceedings was made out.
Ratio Decidendi	For the purposes of the first proviso to Section 6(1) of the Land Acquisition Act, 1894, the relevant consideration is the date on which the declaration under Section 6 is made and not the subsequent dates of its publication. Once objections under Section 5A have been duly considered by the Land Acquisition Officer and the acquisition is undertaken for a public purpose, the proceedings cannot be invalidated merely on technical objections regarding publication or availability of alternative land.
Relevant para	11-17

22. Chhatar Singh & Others v. State of Rajasthan & Others

Title	Chhatar Singh & Others v. State of Rajasthan & Others Citation: 2023 Supreme (Raj) 2296; 2023 RJ(JD) 18457; 2023 (2) RRT 1011. Court: High Court of Rajasthan, Jodhpur Bench Judge: Hon'ble Ms. Justice Nupur Bhati S.B. Civil Writ Petition No. 766/2020 Decided on: 31.05.2023
Keywords	Land Acquisition Act, 1894, Section 4 Notification, Section 5A Objections Section 6 Declaration, Section 9 Notice, Section 18 Reference, Alternative Statutory Remedy, Writ Jurisdiction under Article 226, Maintainability of Writ Petition, Excess Land Acquisition, Measurement and Demarcation of Land, Inadequate Compensation, Re-survey of Land, Boundary Dispute Sections 111 & 128, Rajasthan Land Revenue Act, 1956, Jodhpur Development Authority (JDA), Effective and Efficacious Remedy,

	Judicial Restraint, Challenge to Acquisition Proceedings, Compensation for Acquired Land
Brief Facts of the Case	• The petitioners were co-sharers and recorded khatedars of Khasra Nos. 255 to 259 situated at Village Indroka Khinchiya, Tehsil and District Jodhpur. The respondent-JDA initiated acquisition proceedings for construction of a bye-pass/ring road connecting the Jodhpur-Jaisalmer Highway and Jodhpur-Nagaur Highway by issuing a notification under Section 4 of the Land Acquisition Act, 1894. • The petitioners filed objections under Section 5A of the Act contending that their land was unsuitable for the proposed public purpose. Despite their objections and representations, the respondents issued subsequent notifications and proceeded with acquisition. • The petitioners alleged that apart from the acquired land, the respondents intended to take possession of an additional area measuring approximately 3 bighas and 16 biswas without acquisition and without payment of compensation. According to the petitioners, the site inspection and private survey reports revealed that excess land was being utilized for the ring road project. • The petitioners further contended that the award dated 24.10.2015 determined inadequate compensation and that the respondents had failed to undertake proper demarcation and measurement of the land. • The respondents raised a preliminary objection that the petitioners had an effective statutory remedy under Section 18 of the Land Acquisition Act, 1894 for challenging the measurement of land and adequacy of compensation. It was also contended that proceedings under Sections 111 and 128 of the Rajasthan Land Revenue Act, 1956 could be initiated for boundary disputes. • During re-survey conducted on 17.01.2023, only a difference of 0.0405 hectare (approximately 0.5 biswa) was found, which was surrendered to the State and compensation had already been received by the khatedars for the acquired land.
Issues	1. Whether the High Court should exercise its writ jurisdiction under Article 226 of the Constitution when an effective statutory remedy under Section 18 of the Land Acquisition Act, 1894 is available? 2. Whether disputes regarding measurement of acquired land and adequacy of compensation can be directly agitated through a writ petition?

	3. Whether the petitioners could challenge alleged excess acquisition and inadequate compensation without first availing the statutory remedy under the Land Acquisition Act, 1894?
Held	The High Court dismissed the writ petition holding that: • The grievances raised by the petitioners concerning measurement of land and adequacy of compensation fall squarely within the ambit of Section 18 of the Land Acquisition Act, 1894. • The petitioners had not availed the statutory remedy available to them. • The existence of an efficacious alternative remedy bars the exercise of extraordinary writ jurisdiction under Article 226. • The petitioners failed to demonstrate that the statutory remedy was ineffective or inadequate. • The petitioners were granted liberty to approach the competent authority/forum under Section 18 of the Act.
Ratio Decidendi	Where the Land Acquisition Act itself provides a complete statutory mechanism for challenging the measurement of land, adequacy of compensation, apportionment, or other objections through a reference under Section 18, the High Court ordinarily should not entertain a writ petition under Article 226. The extraordinary jurisdiction of the High Court cannot be invoked when an efficacious alternative remedy exists unless the petitioner establishes exceptional circumstances showing that the statutory remedy is ineffective or unavailable. Disputes regarding land measurement, compensation, and acquisition proceedings are matters specifically entrusted by the statute to the competent authority and the reference court, and therefore the writ jurisdiction ought not to be exercised in such cases.
Relevant para	17-21

23. Rajasthan State Mines and Minerals Limited, a Government of Rajasthan Enterprise v. Legal Representatives/Khatedars

Title	Rajasthan State Mines and Minerals Limited, a Government of Rajasthan Enterprise v. Legal Representatives/Khatedars S.B. Civil Misc. Appeal No. 1362/2018 and connected matters (Bunch of 131 appeals) Court: High Court of Rajasthan, Jodhpur Bench
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	Decided on: 01.11.2022
Keywords	Land Acquisition Act, 1894, Section 18 – Reference to Court, Section 31(2) – Acceptance of Compensation under Protest, Section 54 – Appeal, Limitation, Section 3(1), Limitation Act, 1963, Article 59, Limitation Act, Reference under Section 18, Compensation under Protest, Acceptance of Award, Maintainability of Reference, Bar of Limitation, Land Acquisition Compensation, Additional Evidence, Order XLI Rule 27 CPC, Remand of Matter, Collector's Award, Reference Court, Burden of Proof, Judicial Duty to Decide Limitation, Rajasthan State Mines and Minerals Limited (RSMML), Land Acquisition Appeals, Reference Proceedings, Industrial Acquisition
Brief Facts of the Case	• The present matter consisted of a batch of 131 miscellaneous appeals filed by Rajasthan State Mines and Minerals Limited (RSMML) against various awards passed by the Reference Courts in land acquisition cases. • The lands of the khatedars had been acquired under the provisions of the Land Acquisition Act, 1894. The landowners sought enhancement of compensation by filing references under Section 18 of the Act. • The Reference Courts partly allowed the references and enhanced the compensation payable to the landowners. Aggrieved by these awards, RSMML preferred appeals before the High Court. • The principal contention raised by the appellant was that several claimants had accepted the compensation amount without protest and, therefore, under the second proviso to Section 31(2) of the Land Acquisition Act, they had lost their right to seek a reference under Section 18. It was further contended that the Reference Court failed to determine whether compensation had been accepted under protest and whether the references had been filed within the prescribed limitation period. • Applications under Order 41 Rule 27 CPC were also filed to bring on record receipts showing payment of compensation and whether such payment had been accepted under protest or without protest. The appellant further argued that the Reference Courts had not properly adjudicated the questions of limitation and maintainability.
Issues	1. Whether a person who has accepted compensation without protest can seek a reference under Section 18 of the Land Acquisition Act, 1894? 2. Whether acceptance of compensation under protest is a condition precedent for maintaining a reference under Section 18? 3. Whether the Reference Court is bound to determine the issue of limitation even if not specifically argued by the parties?

	4. Whether the Reference Courts committed an error by failing to decide the questions relating to limitation and acceptance of compensation? 5. Whether the matters deserved remand for fresh adjudication on these issues?
Held	The High Court allowed the appeals and set aside the awards passed by the Reference Courts. The Court held that: • The Reference Courts failed to determine whether compensation had been received under protest or without protest. • The Reference Courts also failed to examine whether the references were filed within the period prescribed under Section 18(2). • Questions relating to limitation and maintainability are mandatory issues that the Court must determine. • Acceptance of compensation without protest disentitles a claimant from seeking a reference under Section 18. • Since these vital questions had not been decided, the matters were remanded to the Reference Courts for fresh adjudication after permitting the parties to adduce evidence regarding payment receipts and the nature of acceptance of compensation. Accordingly, the impugned judgments were set aside and the matters were remanded for fresh decision within six months.
Ratio Decidendi	The judgment lays down the following principles: (i) Acceptance of compensation under protest is mandatory. Under the second proviso to Section 31(2) of the Land Acquisition Act, a person who accepts compensation without protest loses the right to seek a reference under Section 18. Thus, acceptance under protest is a condition precedent for maintaining a reference. (ii) Limitation under Section 18 is mandatory. The period prescribed under Section 18(2) is mandatory, and the Reference Court must determine whether the application seeking reference is within limitation.

	(iii) Duty of the Court under Section 3 of the Limitation Act. Even if limitation is not specifically pleaded, the Court has an independent duty under Section 3 of the Limitation Act to examine whether the proceeding is barred by limitation. (iv) Failure to determine these issues vitiates the award. If the Reference Court does not determine the questions of limitation and receipt of compensation under protest, the award cannot be sustained and the matter must be remanded for fresh adjudication.
Relevant para	3-6, 9-21

24. Arfat Petrochemicals Private Limited v. State of Rajasthan & Others

Title	Arfat Petrochemicals Private Limited v. State of Rajasthan & Others S.B. Civil Writ Petition No. 16488/2019 Decided on: 06.04.2021 Court: High Court of Rajasthan, Jaipur Bench Citation: 2021 Supreme (Raj) 653.
Keywords	RIICO - Scope of authority of State Government over RIICO - Rajasthan State Industrial Development and Investment Corporation (RIICO) - Article 138 of its Articles of Association - Challenge to the decision of the Cabinet Committee of the State Government to review the decisions taken by the previous Government in the last six months - Cancellation of permissions/approvals granted to the petitioner-company by RIICO - Maintainability of the petition - Scope of power of the State Government under Article 138 of the Articles of Association of RIICO - Validity of the impugned orders - Principles of promissory estoppel and legitimate expectation - Applicability against the State Government - Cancellation of lease deeds and permissions/approvals granted to the petitioner-company - Quashing and setting aside of the impugned orders - Declaration regarding the scope of power of the State Government under Article 138 of the Articles of Association of RIICO.
Brief Facts of the Case	• The petitioner-company acquired an industrial unit pursuant to the rehabilitation scheme approved by the Appellate Authority for Industrial and Financial Reconstruction (AAIFR). The land, situated in RIICO's industrial area at Kota, had originally been allotted by the State Government through the District Collector and later stood transferred to RIICO after the Government notifications transferring industrial areas to RIICO. • The petitioner sought permission from RIICO for subdivision of the industrial land and change of land use from industrial to commercial and institutional purposes for development of an integrated project. After scrutiny by various departments, RIICO granted the requisite permissions and approvals in October, 2018. • Subsequently, after a change of Government, the Cabinet Committee constituted to review decisions taken by the previous

	Government directed cancellation of the permissions and approvals already granted. Acting upon the State Government's directions, RIICO cancelled the permissions without issuing any notice to the petitioner, assigning any reasons, or following the procedure prescribed under the RIICO Disposal of Land Rules, 1979. The petitioner challenged the cancellation orders, contending that vested rights had been taken away arbitrarily, without observance of the principles of natural justice and without following the statutory procedure. The petitioner also argued that the State Government could not direct RIICO to cancel permissions merely by invoking Article 138 of the Articles of Association.
Issues	- Whether the State Government could direct RIICO under Article 138 of its Articles of Association to cancel permissions and approvals already granted to a third party? - Whether RIICO had the statutory authority under Rule 12 of the Rajasthan Land Revenue (Industrial Areas Allotment) Rules, 1959 and Rules 17 and 20 of the RIICO Disposal of Land Rules, 1979 to grant permissions for subdivision and change of land use? - Whether permissions and approvals could be cancelled without assigning reasons, without following the prescribed statutory procedure and without affording an opportunity of hearing? - Whether the validity of administrative orders can be sustained on reasons subsequently supplied through affidavits or pleadings? - Whether subsequent policy decisions could retrospectively nullify vested rights created under valid permissions already granted?
Held	The High Court allowed the writ petition and held that: - The State Government possesses supervisory powers under Article 138 of RIICO's Articles of Association, but such power cannot be exercised to compel RIICO to cancel lease deeds or permissions already granted without following the statutory procedure. - RIICO is the competent statutory authority under Rule 12 of the Rules of 1959 read with Rules 17 and 20 of the Rules of 1979 to grant permissions relating to subdivision, supplementary lease deeds and change of land use in industrial areas transferred to it. - The impugned cancellation orders were arbitrary, non-speaking, violative of the principles of natural justice and contrary to Articles 14, 19 and 21 of the Constitution. - Administrative orders must stand or fall on the reasons contained in the orders themselves. Fresh reasons supplied through affidavits cannot cure an otherwise invalid order. - The cancellation orders, Cabinet Committee decision and all consequential actions were quashed. The petitioner was held entitled to act upon the permissions already granted by RIICO.

Ratio Decidendi	The petition is maintainable as every citizen is entitled to approach the Court under Article 226 of the Constitution of India for protection of his/her fundamental rights or statutory rights. 2. The State Government has the power to issue appropriate directions under Article 138 of the Articles of Association of RIICO to manage the affairs of the RIICO, but such power cannot be used to direct the RIICO to straightaway cancel the lease deeds, permissions/approvals granted by it in favour of the third party without adopting the procedure prescribed under the Rules of 1979 and other prevalent Rules.
Relevant para	35-38, 43-53, 68-71, 87-88

25. Regional Manager, RIICO Ltd. v. Industrial Tribunal-cum-Labour Court & Anr. (Neena Agarwal)

Title	Regional Manager, RIICO Ltd. v. Industrial Tribunal-cum-Labour Court & Anr. (Neena Agarwal) S.B. Civil Writ Petition No. 5173 of 2003 Decided on: 14.01.2005 Court: High Court of Rajasthan, Jodhpur Bench Coram: Hon'ble Mr. Justice R.P. Vyas Citation: 2005 Supreme (Raj) 117; 2005 (1) RDD 128
Keywords	Industrial Disputes Act, 1947, Section 25F, Retrenchment, 240 Days of Continuous Service, Contract Labour, Principal Employer, Employer-Employee Relationship, Burden of Proof, Illegal Termination, Oral Termination, Reinstatement, Back Wages, Contract Employment, Labour Court Award, Judicial Review under Article 226, Findings of Fact, Security Agency, Labour Jurisprudence
Brief Facts of the Case	The respondent-workman, Ms. Neena Agarwal, worked as a Stenographer/Junior Assistant in the office of RIICO at Abu Road from 1996 till her services were orally terminated on 31.12.1998. RIICO contended that she was never directly appointed by it and was engaged only through a private security agency on a contractual basis. It was further contended that there was no relationship of employer and employee between RIICO and the respondent and that she had not completed 240 days of continuous service, thereby disentitling her from protection under the Industrial Disputes Act, 1947. The respondent-workman asserted that she was working continuously in RIICO's office, performed duties of a stenographer and had completed more than 240 days of service before her termination. She further contended that her services were terminated orally without issuance of notice, payment of retrenchment compensation or compliance with Section 25F of the Industrial Disputes Act. The Labour Court, after appreciation of evidence, held that RIICO failed to prove the existence of any contractor arrangement or security agency

	engagement and further held that the respondent had completed 240 days of service. Consequently, the Labour Court directed reinstatement with 30% back wages from the date of reference i.e., 20.01.2001. Aggrieved by the award dated 06.06.2003, RIICO preferred the present writ petition under Article 226 of the Constitution
Issues	1. Whether the respondent-workman was an employee of RIICO or merely a contract worker engaged through a private security agency? 2. Whether the respondent-workman had completed 240 days of continuous service so as to attract the protection of Section 25F of the Industrial Disputes Act, 1947? 3. Whether the termination of the respondent's services without notice and retrenchment compensation was illegal? 4. Whether the findings of fact recorded by the Labour Court could be interfered with by the High Court in exercise of writ jurisdiction under Article 226? 5. Whether the Labour Court's award directing reinstatement with back wages suffered from perversity or jurisdictional error?
Held	The High Court dismissed the writ petition and upheld the award of the Labour Court. The Court held that: • RIICO failed to establish that the respondent was engaged through any contractor or security agency. • No written contract, work order, appointment letter, payment vouchers or documentary evidence was produced by RIICO to substantiate its defence of contractual engagement. • RIICO itself admitted that the respondent had worked in its office. • The respondent had completed 240 days of service and was therefore a "workman" under the Industrial Disputes Act, 1947. • The termination of her services without compliance with Section 25F was illegal. • Findings of fact recorded by the Labour Court on appreciation of oral and documentary evidence do not warrant interference under Article 226 unless shown to be perverse or unsupported by evidence. Accordingly, the order directing reinstatement with 30% back wages was upheld.
Ratio Decidendi	The court emphasized the need to prove the nature of employment and the completion of 240 days of work as per the Industrial Disputes Act, 1947. It found that the respondent was a workman within the Act's definition and that the termination of her services was illegal.
Relevant para	13, 18, 20-21

26. Raj Kumari Agrawal v. Rajasthan State Industrial Development & Investment Corporation Ltd. & Anr.

Title	Raj Kumari Agrawal v. Rajasthan State Industrial Development & Investment Corporation Ltd. & Anr. Civil Writ Petition No. 8717 of 2014 Decided on: 12 February 2015 Court: High Court of Rajasthan, Jaipur Bench Judge: Hon'ble Mr. Justice Alok Sharma
Keywords	Alternative allotment of plot, Misrepresentation, Locus standi, Privity of contract, Breach of lease conditions, Disputed questions of fact, Third party rights, Maintainability of writ petition, Contractual dispute, Doctrine of laches, Article 226 of the Constitution of India
Brief Facts of the Case	• RIICO allotted Plot No. B-20, VKIA Extension (Badrana), Jaipur to Mr. Gaurav Bohra and executed a lease deed in his favour. • Subsequently, Mr. Bohra sold the plot to the petitioner, Raj Kumari Agrawal, through a registered sale deed dated 05.02.2013. • When the petitioner attempted to raise construction over the plot, she came to know that a civil suit had been instituted by one Choti Devi against RIICO regarding the land and that an injunction order directing maintenance of status quo had been passed. • The petitioner alleged that RIICO had concealed the existence of litigation and had misrepresented the status of the property at the time of allotment. • On this basis, the petitioner sought allotment of an alternative plot of equivalent value in the same industrial area. • RIICO opposed the petition contending that: • the petitioner was not the original allottee; • no permission for transfer or assignment of the lease had been obtained from RIICO; • the lease had never been transferred in the petitioner's name; • there was no privity of contract between RIICO and the petitioner; and • the dispute involved contractual and disputed factual issues unsuitable for adjudication under Article 226.
Issues	1. Whether the petitioner, being a subsequent purchaser of the plot, had locus standi to maintain the writ petition against RIICO? 2. Whether there existed privity of contract between the petitioner and RIICO entitling the petitioner to claim an alternative plot? 3. Whether a writ petition under Article 226 is maintainable in a purely contractual dispute involving disputed questions of fact and third-party rights? 4. Whether the claim was barred by the doctrine of laches owing to the delay in challenging the allotment made in 2004?

Held	The Rajasthan High Court dismissed the writ petition holding that: • the petitioner had no locus standi against RIICO; • there was no privity of contract between the petitioner and RIICO; • the dispute was contractual in nature and involved disputed questions of fact and third-party rights; • such disputes cannot ordinarily be adjudicated in writ jurisdiction under Article 226; and • the challenge was also hit by the doctrine of laches.
Ratio Decidendi	<i>A subsequent purchaser who has neither obtained the lessor's permission for transfer nor secured transfer of the lease deed in his favour has no privity of contract or locus standi against the lessor authority, and a writ petition under Article 226 is not maintainable for adjudication of purely contractual disputes involving disputed questions of fact and third-party rights.</i>
Relevant para	3,5,7

27. Ravindra Tyagi v. State of Rajasthan & Others

Title	Ravindra Tyagi v. State of Rajasthan & Others 2006 Supreme (Raj) 1088 D.B. Civil Writ Petition No. 4250 of 1996 Decided on: 20 April 2006 Court: Rajasthan High Court, Jaipur Bench Bench: Hon'ble Chief Justice S.N. Jha and Hon'ble Justice Prem Shanker Asopa
Keywords	Public Interest Litigation (PIL), RIICO, Conversion of park land, Industrial plot, Mala fide, Malice in law, Delegation of powers, Ratification, Change of land use, RIICO Disposal of Land Rules, 1979, Public interest
Brief Facts of the Case	• RIICO had initially reserved Plot No. B-519(A) in Indraprastha Industrial Area, Kota as open land for a park. • Respondent Nos. 4 and 5 were originally allotted Industrial Plot No. E-422(C), but sought exchange of the same on the ground that the allotted plot was irregular and uneven. • RIICO converted the park land into an industrial plot and allotted it to the private respondents through a lease agreement dated 27.07.1996. • The petitioner filed a Public Interest Litigation alleging that the allotment was made under political influence and pressure exerted by the then Industry Minister and that the conversion was illegal and contrary to public interest.

	RIICO contended that conversion of land use had been done in the past on a case-to-case basis depending upon necessity and that an alternative and larger park area had been reserved nearby.
Issues	- Whether the Public Interest Litigation was maintainable? - Whether RIICO could convert park land into industrial land in absence of specific rules or policy? - Whether the conversion and allotment were vitiated by mala fide or malice in law? - Whether the subsequent delegation and ratification of powers by RIICO validated the earlier allotment?
Held	The Rajasthan High Court dismissed the writ petition and held that: - the PIL was maintainable; - RIICO was competent to change land use based on prevailing practice and administrative necessity; - allegations of mala fide and political influence were not proved; - the subsequent delegation and ratification of powers by the Board of Directors validly cured any procedural defect in the allotment; and - no public interest had been adversely affected as a larger park area had been reserved nearby.
Ratio Decidendi	In absence of statutory prohibition, RIICO could convert open land into industrial land on the basis of established administrative practice, and actions of a company can be subsequently ratified by its Board of Directors with retrospective effect. Allegations of mala fide require clear and convincing evidence and cannot be founded merely on suspicion.
Relevant para	35-37, 44-47,

28. Seth Nandram Daulat Ram Biyani v. State of Rajasthan & Ors.

Title	Seth Nandram Daulat Ram Biyani v. State of Rajasthan & Ors. 2005 Supreme (Raj) 43 2005 (1) RDD 249; 2006 (2) WLC 476 S.B. Civil Writ Petition No. 3581 of 2002 Decided on: 01 June 2005 Court: High Court of Rajasthan, Jodhpur Bench Judge: Hon'ble Mr. Justice Prakash Tatia
Keywords	RIICO, Service Charges, Industrial Plot, Lease Deed, Successor in Interest, Rajasthan Land Revenue (Industrial Areas Allotment) Rules, 1959, RIICO Disposal of Land Rules, 1979, Development Charges, Cancellation of Lease, Recovery of Dues
Brief Facts of the Case	The petitioner firm was allotted an industrial plot on 28.09.1972 under the Rajasthan Land Revenue (Industrial Areas Allotment)

	Rules, 1959 and a lease deed was executed by the State Government. • Subsequently, the industrial area along with the plot was transferred to RIICO, which stepped into the shoes of the State as lessor. • RIICO issued demand notices seeking recovery of development charges, service charges and other dues amounting to several lakhs of rupees. • The petitioner disputed the liability to pay service charges contending that neither the lease deed nor the Rules of 1959 imposed such liability. • On non-payment of the demanded amount, RIICO cancelled the lease deed on 21.02.2000 and threatened dispossession of the petitioner. • The petitioner challenged the cancellation order and the recovery proceedings before the High Court.
Issues	1. Whether RIICO, as successor in interest, was bound by the terms and conditions of the original lease deed executed under the Rules of 1959? 2. Whether RIICO could recover service charges from allottees whose land had been allotted by the State under the Rules of 1959? 3. Whether Rule 12 and Rule 11-A of the Rules of 1959 empowered RIICO to alter the terms of an existing lease deed or impose additional liabilities? 4. Whether the cancellation of the lease deed for non-payment of service charges was valid?
Held	The High Court held that: • RIICO, having stepped into the shoes of the State Government, was bound by the terms and conditions of the original lease deed. • The RIICO Disposal of Land Rules, 1979 were not shown to be applicable to plots allotted under the Rules of 1959. • Rule 12 of the Rules of 1959 did not authorize RIICO to impose service charges on existing lessees contrary to the lease deed. • RIICO could not unilaterally alter the terms of the lease or impose new financial liabilities without consent of the lessee. • The operation of the cancellation order dated 21.02.2000 was stayed and the matter was referred to a larger Bench for determination of the legal issue.
Ratio Decidendi	A successor authority stepping into the shoes of the original lessor is bound by the terms of the existing lease deed and cannot impose additional liabilities or alter lease conditions unless authorized by law or consented to by the lessee.
Relevant para	12-13,18-19

29. M/s. Sri Ram Infra Creation Ltd. v. State of Rajasthan through Chairman-cum-Managing Director, RIICO & Ors.

Title	M/s. Sri Ram Infra Creation Ltd. v. State of Rajasthan through Chairman-cum-Managing Director, RIICO & Ors. 2025 Supreme (Raj) 2497 2025 RJ (JD) 50468 S.B. Civil Writ Petition No. 15776 of 2018 Decided on: 21 November 2025 Court: High Court of Judicature for Rajasthan, Jodhpur Bench Judge: Hon'ble Ms. Justice Rekha Borana
Keywords	RIICO, Change of Land Use (CLU), Industrial to Residential Conversion, Jurisdiction, State Government Approval, JDA, Original Lease Deed, Section 100-A, Rajasthan Land Revenue Act, 1956, Validation Act, 2025, Lessor-Lessee Relationship
Brief Facts of the Case	• The land in question was originally leased by the State Government in favour of M/s Lifetime Product Corporation in 1970. • Subsequently, the land and industrial area were transferred to RIICO in 1979 for maintenance purposes. • M/s Bright Metals, the predecessor-in-title of the petitioner company, sought conversion of land use from industrial to residential due to closure of industrial activities and urbanization of the surrounding area. • RIICO rejected the request on the ground that the RIICO Disposal of Land Rules, 1979 contained no provision permitting such conversion. • Thereafter, M/s Bright Metals approached the Jodhpur Development Authority (JDA), which after obtaining approval and clarification from the State Government, permitted conversion of land use and issued the requisite notification. • After purchasing the property through registered sale deeds, the petitioner sought release of original title documents from RIICO. • RIICO refused to release the documents contending that only RIICO had authority to permit change of land use and that JDA's order was without jurisdiction. • Aggrieved thereby, the petitioner filed the writ petition.
Issues	1. Whether RIICO was the competent authority to permit change of land use in industrial areas transferred by the State Government? 2. Whether the permission granted by JDA for conversion of land use from industrial to residential was valid? 3. Whether RIICO could withhold original title documents despite the land use conversion having been approved by the competent authority? 4. Whether Section 100-A inserted by the Rajasthan Land Revenue (Amendment and Validation) Act, 2025 had retrospective effect so as to invalidate prior permissions granted by State authorities?

Held	The High Court allowed the writ petition and held that: • RIICO had no authority to permit change of land use in cases where the original lease had been executed by the State Government. • The State Government remained the competent authority and JDA had acted pursuant to State Government approval. • Section 100-A inserted in 2025 conferred powers upon RIICO prospectively and did not invalidate permissions granted prior to its enactment. • RIICO had no authority to retain the original title documents and was directed to hand over the same to the petitioner within 30 days.
Ratio Decidendi	Where the original lease was executed by the State Government, RIICO cannot assume the role of lessor or exercise powers of land use conversion without State Government approval; permissions granted by State authorities prior to insertion of Section 100-A remain valid.
Relevant para	25-28, 29-31

30. Smt. Kanta Kumari Banafal & Ors. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors.

Title	Smt. Kanta Kumari Banafal & Ors. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors. 2008 Supreme (Raj) 2471 2009 LIC 556; 2009 (2) SCT 306; 2009 (8) SLR 300; 2009 (2) WLC 728 Civil Special Appeal (Writ) Nos. 216/2002, 981/2001 and 215/2002 Decided on: 17 September 2008 Court: Rajasthan High Court, Jaipur Bench Bench: Hon'ble Mr. Justice Shiv Kumar Sharma and Hon'ble Mr. Justice Mahesh Bhagwati
Keywords	Retrenchment, Closure of Unit, Legitimate Expectation, Absorption of Employees, RIICO, Article 12, Fairness in Administrative Action, Voluntary Retirement Scheme, Industrial Disputes Act, 1947, Transfer Clause, Natural Justice, Equitable Considerations
Brief Facts of the Case	• The appellants were employees working in the Watch Assembly Unit, Ajmer of RIICO in substantive capacities. • Their appointment letters contained a transfer clause authorizing RIICO to transfer them to any office, branch or unit of the Corporation. • RIICO decided to close the Watch Assembly Unit, Ajmer with effect from 20.03.2001 and simultaneously introduced a Voluntary Retirement Scheme. • Instead of opting for voluntary retirement, the appellants challenged their retrenchment and sought absorption in other units of RIICO. • The employees contended that RIICO had several vacancies in its other units and that they had a legitimate expectation of being

	absorbed, particularly as RIICO was an instrumentality of the State under Article 12 of the Constitution. The learned Single Judge granted relief to one employee, Mukesh Kumar, but denied relief to the other appellants, leading to the present appeals.
Issues	- Whether RIICO was under any contractual, statutory or equitable obligation to absorb retrenched employees of the closed Watch Assembly Unit in its other units? - Whether the doctrine of legitimate expectation was applicable in the facts of the case? - Whether RIICO, being a State under Article 12 of the Constitution, was required to act fairly by protecting the interests of its employees?
Held	The Division Bench held that: - The Watch Assembly Unit was an integral part of RIICO and had functional integrality with other units. - The transfer clause in the appointment letters and the existence of vacancies in other units created a legitimate expectation of absorption. - RIICO, being an instrumentality of the State under Article 12, was required to act fairly and reasonably. - RIICO was under an equitable obligation to absorb employees working in substantive capacity in other units instead of retrenching them. - Accordingly, RIICO was directed to absorb the appellants in other units in the cadre of Helper with all consequential benefits.
Ratio Decidendi	Where a State instrumentality closes one of its integral units and vacancies exist in its other units, employees working in substantive capacity possess a legitimate expectation of absorption, and the employer is required to act fairly by considering their adjustment rather than retrenchment.
Relevant para	13-14,17

31. Rajasthan State Industrial Development and Investment Corporation Limited & Ors. v. HNB Asia Limited & Ors.

Title	Rajasthan State Industrial Development and Investment Corporation Limited & Ors. v. HNB Asia Limited & Ors. 2019 Supreme (Raj) 700 D.B. Special Appeal (Writ) No. 86 of 2017 arising out of S.B. Civil Writ Petition No. 14360 of 2013 Decided on: 05 September 2019 Court: High Court of Rajasthan, Jaipur Bench
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	Bench: Hon'ble Mr. Justice Mohammad Rafiq and Hon'ble Mr. Justice Narendra Singh Dhatta
Keywords	RIICO, Preferential allotment, Industrial land, Rule 3(W), RIICO Disposal of Land Rules, 1979, Amendment of Rules, NRI Category, Vested Right, Pending Applications, Retrospective Application, Discrimination, Industrial Plot Allotment
Brief Facts of the Case	• HNB Asia Limited applied for preferential allotment of 18,000 sq. metres of industrial land at Industrial Area, Ramchandrapura, Jaipur under Rule 3(W) of the RIICO Disposal of Land Rules, 1979 for setting up an industrial project. • Before the application could be considered, RIICO amended Rule 3(W) on 13.08.2012 prescribing a minimum fixed capital investment of ₹10 crores and further provided that expenditure on land and building should not exceed 20% of the total project cost. • The respondent proposed investment of ₹11.65 crores, out of which ₹10.84 crores was towards land and building and only ₹0.63 crores towards plant, machinery and other fixed assets. • Applying the amended criteria, RIICO treated the effective investment of the respondent as ₹2.96 crores and rejected its application on 10.10.2012. • Another applicant having investment below ₹10 crores was also rejected, whereas M/s. Siddheshwar Gums Pvt. Ltd., having investment of ₹34.08 crores, was allotted the plot. • The learned Single Judge allowed the writ petition holding that the policy prevailing on the date of application should apply. RIICO challenged the judgment in appeal.
Issues	1. Whether the amended Rule 3(W) of the RIICO Disposal of Land Rules, 1979 would apply to applications pending consideration on the date of amendment? 2. Whether an applicant acquires a vested right to allotment of industrial land on the basis of the rules existing on the date of application? 3. Whether rejection of the respondent's application amounted to discrimination under Article 14 of the Constitution?
Held	The Division Bench allowed the appeal and held that: • the amended Rule 3(W) was applicable because it was in force on the date when the application was considered for allotment; • an applicant has no vested right to claim allotment under the policy existing on the date of application; • allotment of industrial land is governed by the rules prevailing on the date of disposal of the application; and

	there was no discrimination as similarly situated applicants having investment below ₹10 crores were also denied allotment
Ratio Decidendi	No person has a vested right to obtain allotment of an industrial plot under the policy prevailing on the date of application, and the allotment must be governed by the rules and policy in force on the date of consideration or disposal of the application.
Relevant para	8,10,11

32. Uttam Distilleries Limited v. State of Rajasthan & Ors.

Title	Uttam Distilleries Limited v. State of Rajasthan & Ors. 2023 Supreme (Raj) 92 S.B. Civil Writ Petition before the Rajasthan High Court Decided in the year 2023.
Keywords	RIICO, Cancellation of allotment, Force majeure, Industrial plot, Development charges, Lease deed, Time-bound allotment, Suppression of material facts, Clean hands doctrine, Restoration charges, Retention charges, Equity jurisdiction, Industrial development
Brief Facts of the Case	- RIICO allotted Plot No. SP-1 situated at Industrial Area, Sarekhurd, Bhiwadi to the petitioner-company in 2004 at concessional rates for establishment of a Distillery, Brewery and Bottling Plant. - Under the allotment letter and lease deed, the petitioner was required to complete construction within two years, commence commercial production within five years and deposit the balance development charges within the stipulated period. - The petitioner failed to complete construction, failed to commence production and also defaulted in payment of the last installment of development charges. - The petitioner contended that the delay occurred due to lack of an approach road, pendency of PIL proceedings and delay in obtaining environmental clearances and therefore constituted force majeure circumstances. - RIICO rejected these explanations, cancelled the allotment and resumed possession of the plot. - The petitioner challenged the cancellation before the High Court seeking restoration of the allotment and waiver of restoration and retention charges.
Issues	- Whether the petitioner-company was prevented from complying with the terms of allotment due to circumstances beyond its control amounting to force majeure? - Whether RIICO was justified in cancelling the allotment for failure to establish the project and non-payment of dues?

	3. Whether the petitioner had approached the Court with clean hands and full disclosure of material facts?
Held	The High Court dismissed the writ petition and held that: - the alleged reasons such as absence of approach road, pendency of PIL and delay in permissions did not constitute force majeure; - the petitioner had failed to comply with essential conditions of allotment and lease deed; - the petitioner defaulted in payment of development charges despite repeated opportunities; - the petitioner suppressed material facts and made misleading statements before the Court; and - the writ petition deserved dismissal with exemplary costs of ₹20 lakhs.
Ratio Decidendi	A beneficiary of concessional industrial land allotment who fails to comply with time-bound conditions of construction, commencement of production and payment obligations cannot avoid cancellation by raising unsupported claims of force majeure. A litigant invoking writ jurisdiction must approach the Court with complete candour and clean hands.
Relevant para	23-31

33. Khem Chand Sharma v. Natha Arts & Crafts Pvt. Ltd.

Title	Khem Chand Sharma v. Natha Arts & Crafts Pvt. Ltd. 2002 Supreme (Raj) 500 D.B. Civil Special Appeal (Writ) No. 725 of 1998 Decided on: 04 March 2002 Court: High Court of Rajasthan, Jaipur Bench Bench: Hon'ble Mr. Justice Shiv Kumar Sharma
Keywords	Review Petition, Doctrine of Merger, Maintainability of Appeal, Article 226, Order 47 CPC, RIICO Disposal of Land Rules, 1979, Cancellation of Lease, Industrial Plot, Subsequent Cause of Action, Writ Jurisdiction
Brief Facts of the Case	- RIICO allotted industrial Plots No. G-105 and G-106 situated in Industrial Area, Sanganer, Jaipur to the appellant and executed a lease deed on 24.10.1989. - Due to non-compliance with the terms and conditions of the lease deed, RIICO cancelled the allotment, terminated the lease deed and resumed possession of the plots. - The appellant challenged the cancellation by filing a writ petition, which was dismissed by the learned Single Judge on 17.03.1998. - Thereafter, the appellant filed a review petition stating that an appeal under the RIICO Disposal of Land Rules, 1979 was pending before the Managing Director, RIICO.

	• The review petition was dismissed on 05.05.1998, however, liberty was granted to the appellant to pursue the statutory remedy before the RIICO appellate authority and to raise all contentions including dispossession. • The appellant thereafter preferred an appeal before RIICO and simultaneously filed the present special appeal challenging the original order dated 17.03.1998. • RIICO raised a preliminary objection that the original order had merged into the review order dated 05.05.1998 and therefore the special appeal was not maintainable.
Issues	1. Whether the original order dated 17.03.1998 merged with the subsequent review order dated 05.05.1998? 2. Whether the special appeal challenging only the original order remained maintainable after disposal of the review petition? 3. Whether subsequent events arising after the review order could be considered in the pending special appeal?
Held	The Division Bench held that: • the review order substantially reconsidered the earlier order and granted substantive liberty to the appellant; • consequently, the original order stood merged in the review order dated 05.05.1998; • the appellant acquired a fresh cause of action after the decision of the RIICO appellate authority; and • the present special appeal challenging only the original order was not maintainable and was liable to be dismissed.
Ratio Decidendi	Where a review court substantially reconsiders an earlier order and grants substantive relief or liberty, the original order merges into the review order and any subsequent challenge must be directed against the review order or the fresh cause of action arising thereafter.
Relevant para	13-14

34. Smt. Kanta Kumari Banafal & Ors. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors.

Title	Smt. Kanta Kumari Banafal & Ors. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors. 2008 Supreme (Raj) 2471 Civil Special Appeal (Writ) Nos. 216/2002, 981/2001 and 215/2002 Decided on: 17 September 2008 Court: Rajasthan High Court, Jaipur Bench
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	Bench: Hon'ble Mr. Justice Shiv Kumar Sharma and Hon'ble Mr. Justice Mahesh Bhagwati
Keywords	Retrenchment, Closure of Unit, Legitimate Expectation, Absorption of Employees, RIICO, Article 12, Fairness in Administrative Action, Voluntary, Retirement Scheme, Industrial Disputes Act, 1947, Natural Justice, Equitable Considerations
Brief Facts of the Case	• The appellants were employees working in the Watch Assembly Unit, Ajmer of RIICO in substantive capacities. • Their appointment letters contained a transfer clause empowering RIICO to transfer them to any office, branch or unit of the Corporation. • RIICO decided to close the Watch Assembly Unit, Ajmer with effect from 20.03.2001 and simultaneously introduced a Voluntary Retirement Scheme for its employees. • The employees challenged their retrenchment and sought absorption in other units of RIICO instead of termination of service. • The employees relied upon the doctrine of legitimate expectation and contended that vacancies existed in other units of RIICO where they could be accommodated.
Issues	1. Whether RIICO was under any contractual, statutory or equitable obligation to absorb employees retrenched due to closure of the Watch Assembly Unit? 2. Whether the doctrine of legitimate expectation was applicable in favour of the retrenched employees? 3. Whether RIICO, being a State within the meaning of Article 12 of the Constitution, was required to act fairly and protect the interests of its employees?
Held	The Division Bench held that: • the Watch Assembly Unit was an integral part of RIICO and had functional integrality with other units; • RIICO, being an instrumentality of the State under Article 12, was required to act fairly and reasonably towards its employees; • the employees working in substantive capacity had a legitimate expectation of being absorbed in other units where vacancies existed; and • RIICO was directed to absorb the appellants in other units in the cadre of Helper with all consequential benefits.
Ratio Decidendi	Where a State instrumentality closes one of its units, employees serving in substantive capacity and eligible for transfer have a legitimate expectation of absorption in other units, and the employer is required to act fairly and reasonably in protecting their service interests.

Relevant para	13-14,17
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35. Diamond and Gem Development Corporation (DGDC) v. State of Rajasthan & Ors.

Title	Diamond and Gem Development Corporation (DGDC) v. State of Rajasthan & Ors. 2002 Supreme (Raj) 1 D.B. Civil Writ Petition No. 5481/1994 along with connected writ petitions Decided by the Rajasthan High Court, Jaipur Bench.
Keywords	RIICO, Gem Stone Industrial Park, Cancellation of Lease, Deeming Fiction, Rule 11-A of Rules of 1959, Jurisdiction, Approach Road, Industrial Development, Legal Fiction, Acquisition of Land, Restoration of Land, Due Process of Law, Legitimate Expectation
Brief Facts of the Case	• RIICO allotted approximately 105 acres of land to DGDC for establishment of a Gem Stone Industrial Park at Jaipur and executed a lease deed in its favour in 1989. • DGDC alleged that RIICO failed to provide an approach road and also failed to hand over possession of the entire allotted land, making implementation of the project impossible. • RIICO thereafter issued notices and cancelled the lease granted in favour of DGDC on the ground of non-utilization of land and breach of allotment conditions. • DGDC challenged the cancellation contending that after the amendment introducing Rule 11-A in the Rajasthan Land Revenue (Industrial Areas Allotment) Rules, 1959, the State Government became the deemed lessor and therefore RIICO lacked jurisdiction to cancel the lease. • Simultaneously, a cooperative housing society sought restoration of a portion of acquired land on the ground that similarly situated lands had already been released or regularized. • The Court was therefore required to examine the legality of cancellation of lease, the effect of the statutory deeming provision and the obligations of RIICO towards DGDC.
Issues	1. Whether RIICO had jurisdiction to cancel the lease after insertion of Rule 11-A in the Rules of 1959? 2. Whether the amendment created a legal fiction treating the State Government as the lessor of DGDC? 3. Whether RIICO was under an obligation to provide an approach road and complete possession of the allotted land? 4. Whether cancellation of lease by RIICO was justified in the facts of the case?

	5. Whether the cooperative housing society was entitled to restoration of a part of the acquired land on the principle of parity and equity?
Held	The Division Bench held that: • after insertion of Rule 11-A, the land was deemed to have been leased by the State Government and consequently RIICO lacked jurisdiction to cancel the lease; • RIICO had failed to provide an approach road and complete possession of the land, thereby frustrating the very purpose of allotment; • the cancellation of lease by RIICO was arbitrary, unjustified and without authority of law; • DGDC was entitled to restoration of the leased land and continuation of the project; and • the cooperative housing society was entitled to restoration of 17 Bighas and 9 Biswas of land on the principles of equity and parity.
Ratio Decidendi	Where a statutory deeming provision substitutes the State Government as the lessor, the original lessor authority loses jurisdiction to cancel the lease. Further, an allotting authority cannot cancel an allotment for non-performance when its own failure to provide essential infrastructure frustrates implementation of the project.
Relevant para	22-27

36. Jai Ambe Ganga Chemicals Pvt. Ltd. v. State of Rajasthan

Title	Jai Ambe Ganga Chemicals Pvt. Ltd. v. State of Rajasthan 2002 Supreme (Raj) 224 2002 RLW (Raj.) 668 Revision No. 468/Hanumangarh of 2001 Decided on: 07 February 2002 Court: Board of Revenue for Rajasthan Coram: Hon'ble Shri H.S. Punia, Member
Keywords	Stamp Duty, Lease Deed, Conveyance, Leasehold Rights, RIICO, Transfer of Industrial Plot, Assignment of Lease, Article 35(a)(iii), Rajasthan Stamp Law (Adaptation) Act, 1952, Section 56, Stamp Act, 1899, Industrial Land, Superstructure, Deficit Stamp Duty
Brief Facts of the Case	• Industrial Plot No. A-7 measuring 8027 sq. metres situated at Industrial Area, Hanumangarh-I Phase was originally allotted by RIICO to M/s Rajasthan Industries in 1980. • M/s Rajasthan Industries sought permission from RIICO to transfer the plot to the petitioner company, M/s Jai Ambe Ganga Chemicals Pvt. Ltd., which was granted under the RIICO Disposal of Land Rules, 1979. • Thereafter, RIICO executed a fresh lease agreement dated 28.02.2000 in favour of the petitioner for the remaining lease period of 99 years commencing from 01.01.1980.

	• The Sub-Registrar impounded the document and included the value of the superstructures such as labour quarters, office building, shed, toilet and boundary wall for assessment of stamp duty. • The Collector (Stamps), Hanumangarh treated the lease deed as a conveyance deed and demanded deficit stamp duty, registration fee and penalty on the value of the superstructures. • Aggrieved thereby, the petitioner preferred a revision under Section 56 of the Indian Stamp Act contending that only leasehold rights had been transferred and not ownership of the property or superstructures.
Issues	1. Whether the lease agreement executed by RIICO in favour of the petitioner amounted to a conveyance deed or merely a lease of leasehold rights? 2. Whether stamp duty could be levied on the value of superstructures standing on the industrial plot while assessing duty on the lease deed? 3. Whether the Collector (Stamps) was justified in treating the lease deed as a conveyance under Section 2(10) of the Indian Stamp Act, 1899?
Held	The Board of Revenue held that: • the instrument executed by RIICO was only a lease deed relating to leasehold rights and not a conveyance of immovable property; • RIICO had merely accepted the petitioner as lessee for the remaining lease period after transfer of leasehold rights by the previous lessee; • there was no material to show that the superstructures or other assets of the original lessee had been transferred through the lease deed in question; • therefore, stamp duty was chargeable only under Article 35(a)(iii) of the Rajasthan Stamp Law (Adaptation) Act, 1952 on the basis of annual rent and not on the value of superstructures; and • the order of the Collector (Stamps) demanding deficit stamp duty was quashed.
Ratio Decidendi	A fresh lease deed executed by RIICO in favour of a transferee after transfer of leasehold rights does not amount to a conveyance of immovable property and stamp duty is payable only on the leasehold interest covered by the lease deed and not on the value of superstructures or other assets not conveyed through the instrument.
Relevant para	7-13

37. Medical Designs (India) Private Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors.

Title	Medical Designs (India) Private Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors. S.B. Civil Writ Petition No. 9301 of 2018 along with S.B. Civil Writ Petition No. 22425 of 2017 Court: High Court of Rajasthan, Jaipur Bench Decided by: Hon'ble Mr. Justice Dinesh Mehta
Keywords	RIICO, Rule 24(3) and Rule 24(4) of RIICO Disposal of Land Rules, 1979, Re-allotment of cancelled plot, Restoration of possession, Due process of law, Illegal dispossession, Industrial plot, Public Premises Act, 1964, Forceful, eviction, Abuse of process of Court, Equality and equity jurisdiction, Collusive conduct
Brief Facts of the Case	• RIICO had allotted Industrial Plot No. F-28(N), Malviya Nagar Industrial Area, Jaipur to Medical Designs (India) Pvt. Ltd. for establishment of an industry. • The allottee failed to commence industrial production for nearly 28 years, resulting in cancellation of the allotment by RIICO, which had earlier been upheld by the High Court. • Thereafter, the allottee sought restoration and re-allotment of the plot under Rule 24(4) of the RIICO Disposal of Land Rules, 1979 on the ground that another similarly situated plot had been re-allotted to another concern. • Simultaneously, another petitioner, Varun Khandelwal, claimed that he was in possession of the premises as a tenant and was carrying on industrial activities under the name of Usha Air Conditioners & Refrigeration. • RIICO took possession of the premises from the tenant without initiating proceedings under the Rajasthan Public Premises (Eviction of Unauthorized Occupants) Act, 1964 or obtaining orders from a competent court. • Aggrieved thereby, both writ petitions were filed before the High Court.
Issues	1. Whether Rule 24(4) of the RIICO Disposal of Land Rules, 1979 applied to the facts of the case? 2. Whether RIICO could forcibly dispossess a person in possession of an industrial plot without following due process of law? 3. Whether the original allottee was entitled to restoration or re-allotment of the cancelled plot? 4. Whether the tenant in possession was entitled to restoration of possession against RIICO?
Held	The High Court held that: • Rule 24(4) becomes applicable only when possession of a cancelled plot is resumed by RIICO in accordance with the Rajasthan Public Premises Act, 1964 or pursuant to an order of a competent court.

	• The original allottee was not entitled to restoration or re-allotment because the plot had remained non-functional for nearly 28 years and the object of industrial development stood frustrated. • RIICO acted illegally in forcibly taking possession from the tenant without following due process of law. • The tenant was held entitled to restoration of possession, while RIICO was left free to initiate proceedings in accordance with law. • Costs of ₹50,000 were imposed upon RIICO for its illegal action.
Ratio Decidendi	An authority cannot dispossess an occupant of industrial premises without following due process of law, and Rule 24(4) of the RIICO Disposal of Land Rules, 1979 applies only where possession has been lawfully resumed in accordance with statutory procedure.
Relevant para	14-19

38. Satguru Premises Pvt. Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors.

Title	Satguru Premises Pvt. Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Ors. S.B. Civil Writ Petition before the Rajasthan High Court Court: High Court of Rajasthan Bench: Single Bench
Keywords	RIICO, Withdrawal of allotment, Amusement Park Project, Court stay order, Peaceful possession, Rule 18(h), RIICO Rules, Natural justice, Article 14, Approbate and reprobate, Impossibility of performance, Mohinder Singh Gill principle, Administrative law
Brief Facts of the Case	• RIICO allotted about 15.90 acres of land to the petitioner for establishment of an amusement park/resort project. • Though physical possession of the land was handed over, a civil court passed an interim stay order regarding a disputed strip of land measuring 30 feet wide, preventing peaceful enjoyment of the entire property. • RIICO proposed that the petitioner may proceed with construction on the remaining land excluding the disputed portion and sought an undertaking from the petitioner. • The petitioner accepted the proposal and repeatedly expressed willingness to establish the project on the undisputed land and requested execution of the lease deed to enable it to obtain bank finance. • After several years, RIICO withdrew the allotment vide order dated 17.09.2020 on the ground that peaceful possession could not be handed over. • During the writ proceedings, RIICO attempted to justify the withdrawal on a different ground, namely failure of the petitioner to

	complete construction and commence the project within the stipulated period. • Aggrieved by the withdrawal order, the petitioner approached the High Court.
Issues	1. Whether RIICO was justified in withdrawing the allotment when the petitioner was prevented from utilizing the land due to a civil court's stay order? 2. Whether RIICO could justify the impugned order on grounds different from those mentioned in the order itself? 3. Whether the petitioner could be penalized for failure to perform an act rendered impossible by circumstances beyond its control? 4. Whether withdrawal of allotment without notice or hearing violated principles of natural justice?
Held	The High Court allowed the writ petition and held that: • peaceful enjoyment is an essential component of possession and inability to use the land due to court proceedings constituted circumstances beyond the petitioner's control; • RIICO acted arbitrarily in rejecting the petitioner's proposal to proceed with construction on the undisputed land after itself suggesting such course of action; • RIICO could not supplement the reasons contained in the impugned order through subsequent pleadings or affidavits; • the petitioner could not be blamed for failure to perform an impossible act; • the withdrawal order was also vitiated for violation of principles of natural justice as no show cause notice or hearing was afforded to the petitioner; and • consequently, the order dated 17.09.2020 was quashed and set aside.
Ratio Decidendi	A statutory authority cannot justify an administrative order on grounds not contained in the order itself, and an allottee cannot be penalized for non-performance caused by circumstances beyond its control or by an act of the Court. Administrative actions must satisfy the requirements of fairness, reasonableness and natural justice.
Relevant para	23-30

39. Official Liquidator, M/s. Rathi Alloys and Steel Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO)

Title	Official Liquidator, M/s. Rathi Alloys and Steel Ltd. v. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) Rajasthan High Court, Jaipur Bench Company Application No. 54 of 2004 Decided on: 14 May 2010 by Justice Ajay Rastogi
Keywords	Companies Act, 1956 – Section 446, Official Liquidator, Winding up, Lease agreement, Industrial plots, Cancellation of allotment, Time as the essence of contract, Eviction proceedings, RIICO, Re-entry into leased property, Breach of lease conditions
Brief Facts of the Case	- RIICO allotted industrial plots (A-463, A-464, A-465) and agricultural land to M/s. Rathi Alloys and Steel Ltd. under lease agreements executed in 1988, 1991 and 1992 for establishing an industry. - The company failed to commence construction/production within the stipulated time prescribed under the lease deeds. - After issuing several notices and granting opportunities of hearing, RIICO cancelled the allotments on 26 April 1995 and initiated eviction proceedings before the Estate Officer in 1996. - Subsequently, the company was ordered to be wound up on 24 August 2001, and the Official Liquidator took possession of the company's assets, including the disputed plots. - The Official Liquidator challenged the cancellation orders under Section 446 of the Companies Act, contending that RIICO could not proceed without leave of the Company Court and that the cancellation was illegal.
Issues	- Whether RIICO was legally competent to cancel the allotments by orders dated 26.04.1995. - Whether the cancellation of the allotments was justified on account of breach of lease conditions. - Whether RIICO was entitled to exercise the right of re-entry and initiate eviction proceedings. - Whether failure to issue notice to secured creditors invalidated the cancellation orders.
Held	- The Court held that the company had admittedly failed to comply with the essential conditions of the lease deeds regarding commencement of construction and production. - RIICO had issued repeated notices and granted adequate opportunity before cancelling the allotments. - The cancellation orders were passed in 1995, well before the winding-up order of 2001; therefore, the Official Liquidator could not challenge those orders under Section 446. - RIICO was legally entitled to continue eviction proceedings and recover possession. - The Official Liquidator was directed to hand over possession of the plots to RIICO.

	The company application was dismissed without costs.
Ratio Decidendi	Where a lessee fails to comply with the essential conditions of a lease agreement, RIICO is justified in cancelling the allotment after giving due notice and opportunity. A subsequent winding-up order does not invalidate cancellation or eviction proceedings initiated before the winding up, and the Official Liquidator cannot challenge such prior lawful actions under Section 446 of the Companies Act.
Relevant para	14-18

40. Regional Manager, RIICO Ltd. v. Judge, Industrial Tribunal-cum-Labour Court, Jodhpur & Another

Title	Regional Manager, RIICO Ltd. v. Judge, Industrial Tribunal-cum-Labour Court, Jodhpur & Another Rajasthan High Court, S.B. Civil Writ Petition No. 5173 of 2003 Decided on: 14 January 2005 Judge: Justice R.P. Vyas.
Keywords	Industrial Disputes Act, 1947, Section 25-F, Illegal termination, Retrenchment, Contract labour, Workman, 240 days' continuous service, Reinstatement, Back wages, Writ jurisdiction
Brief Facts of the Case	- Neena Agrawal was engaged as a Stenographer/Junior Assistant in RIICO in 1996 on fixed pay. - Her services were terminated orally on 31.12.1998 without notice or retrenchment compensation. - RIICO claimed that she was employed through a private security agency on contract and was not its employee. - The Labour Court found that RIICO failed to prove the alleged contract arrangement and held that she had worked for more than 240 days. - The Labour Court declared the termination illegal and directed her reinstatement with 30% back wages. - RIICO challenged the award before the Rajasthan High Court.
Issues	- Whether the respondent was a "workman" under the Industrial Disputes Act despite RIICO's plea that she was employed through a contractor. - Whether she had completed 240 days of continuous service. - Whether the termination without complying with Section 25-F of the Industrial Disputes Act was illegal. - Whether the Labour Court's findings warranted interference in writ jurisdiction.
Held	The High Court upheld the Labour Court's award.

	• RIICO failed to produce any written contract, work order, vouchers or other evidence proving that the respondent was employed through a contractor. • The finding that she had worked for more than 240 days was based on evidence and could not be interfered with in writ jurisdiction. • Her termination was illegal for non-compliance with Section 25-F. • The writ petition was dismissed, and the direction for reinstatement with 30% back wages was affirmed.
Ratio Decidendi	When an employer fails to prove that a worker was engaged through a contractor and the Labour Court finds, on evidence, that the worker completed 240 days of service, termination without complying with Section 25-F of the Industrial Disputes Act is illegal. Findings of fact by the Labour Court are not ordinarily open to interference in writ jurisdiction.
Relevant para	12-13, 18-20, 21

41. RIICO Ltd., Bhilwara v. Judge, Labour Court, Bhilwara & Others

Title	RIICO Ltd., Bhilwara v. Judge, Labour Court, Bhilwara & Others Rajasthan High Court S.B. Civil Writ Petition Nos. 8933/2012 and connected matters Decided on: 30 April 2014 Judge: Dr. Justice Vineet Kothari.
Keywords	Industrial Disputes Act, 1947, Section 33-C(2), Section 25-FFF, State Financial Corporations Act, 1951, Section 29, Employer, Workmen's dues, Secured creditor, Labour Court, Recovery of wages
Brief Facts of the Case	• The workmen of M/s RPL (India) Ltd. sought recovery of their unpaid wages before the Labour Court under Section 33-C(2) of the Industrial Disputes Act. • The Labour Court held RIICO liable to pay the workmen's dues because RIICO had taken over and sold the employer's assets under Section 29 of the State Financial Corporations Act. • RIICO challenged the Labour Court's order, contending that it was only a secured creditor and never the employer of the workmen.
Issues	1. Whether RIICO, as a secured creditor, could be treated as the employer liable for payment of workmen's dues. 2. Whether the Labour Court could fasten liability on RIICO under Section 33-C(2) of the Industrial Disputes Act. 3. Whether workmen could recover their dues from RIICO after it exercised powers under Section 29 of the State Financial Corporations Act.
Held	• The High Court held that RIICO was not the employer of the workmen and therefore could not be directed to pay their dues. • The Labour Court exceeded its jurisdiction by fastening liability on RIICO under Section 33-C(2).

	• The impugned order was quashed to the extent it imposed liability on RIICO. • The workmen were left free to recover their dues from the employer/company or through the Collector in accordance with law.
Ratio Decidendi	A secured creditor exercising statutory powers under Section 29 of the State Financial Corporations Act does not become the employer of the workmen. The Labour Court cannot impose liability on such a third party under Section 33-C(2) of the Industrial Disputes Act for payment of workmen's dues.
Relevant para	22-26, 27-30, 31-32

42. The Small Industries Development Bank of India v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Others

Title	The Small Industries Development Bank of India v. Rajasthan State Industrial Development and Investment Corporation Ltd. & Others Rajasthan High Court S.B. Civil Writ Petition No. 830 of 2017 Decided on: 3 February 2017 Judge: Justice Sangeet Lodha.
Keywords	Lease Agreement, RIICO Disposal of Land Rules, 1979, Rule 24(1), Cancellation of Lease, Breach of Lease Conditions, SARFAESI Act, 2002, Mortgage, Collateral Security, Natural Justice, Re-entry by RIICO
Brief Facts of the Case	• RIICO allotted an industrial plot to Neesa Agritech and Foods Ltd. for establishing a food industry. • The company mortgaged the leasehold rights to SIDBI as collateral security after obtaining RIICO's conditional No Objection Certificate (NOC). • The company failed to establish the industry within the stipulated period, thereby breaching the lease conditions. • RIICO issued notice to SIDBI to remedy the breach within 90 days, but neither SIDBI nor the allottee cured the default. • RIICO cancelled the allotment, terminated the lease, and refunded the development charges to the allottee. • SIDBI challenged the cancellation, contending that RIICO violated Rule 24(1) of the RIICO Disposal of Land Rules and that its security interest under the SARFAESI Act was affected.
Issues	1. Whether RIICO was justified in cancelling the lease for breach of lease conditions. 2. Whether the cancellation violated Rule 24(1) of the RIICO Disposal of Land Rules, 1979 and the principles of natural justice.

	3. Whether SIDBI, as a secured creditor, could prevent RIICO from terminating the lease or claim priority over the leased property
Held	• The High Court upheld RIICO's cancellation of the lease. • It held that the allottee had admittedly violated the essential conditions of the lease by failing to establish the industrial unit within the prescribed period. • RIICO had issued the required notice to the financing institution, but SIDBI failed to remedy the breach within 90 days. • SIDBI could not challenge the cancellation merely on the basis of its mortgage, particularly when it had failed to incorporate the conditions required by RIICO in the mortgage deed. • The writ petition was dismissed.
Ratio Decidendi	Where an allottee breaches the essential conditions of a RIICO lease and the financing institution fails to remedy the breach within the stipulated period after notice, RIICO is entitled to determine the lease. A secured creditor's mortgage does not override RIICO's contractual right to cancel the lease for breach of its conditions.
Relevant para	2-8, 9-11,12-13

43. Anand Food Products through its Proprietor Kushal Chand Purohit v. Rajasthan State Industrial Development & Investment Corporation (RIICO)

Title	Anand Food Products through its Proprietor Kushal Chand Purohit v. Rajasthan State Industrial Development & Investment Corporation (RIICO) Rajasthan High Court (Division Bench) D.B. Special Appeal (Writ) No. 264 of 2005 Decided on: 8 May 2005 Coram: Justice Rajesh Balia & Justice R.S. Chauhan.
Keywords	RIICO Disposal of Land Rules, 1979, Industrial Plot, Allotment, Public Auction, Legitimate Expectation, Vested Right, Mandamus, Rule 25(3), Reserved Price, Public Property
Brief Facts of the Case	• The appellant applied in 1990 for allotment of an industrial plot in the New Industrial Area, Jodhpur. • RIICO repeatedly informed him that no plot was available and refunded his deposits. • Though the appellant's name was later placed at the top of the waiting list, RIICO decided that newly created plots would be disposed of through public auction instead of individual allotment.

	- The appellant claimed that, being the first applicant, he had a right or legitimate expectation to receive a plot at the reserved price and sought a writ of mandamus directing RIICO to allot the plot. - The Single Judge dismissed the writ petition, and the appellant preferred the present appeal.
Issues	- Whether the appellant acquired a vested right to allotment of an industrial plot merely by submitting an application and being placed first on the waiting list. - Whether the doctrine of legitimate expectation entitled the appellant to allotment at the reserved price. - Whether RIICO was entitled to reserve the plots for disposal through public auction instead of individual allotment. - Whether Rule 25(3) of the RIICO Disposal of Land Rules, 1979 entitled the appellant to an alternative plot.
Held	- The Division Bench dismissed the appeal. - It held that the appellant had no vested right to claim allotment merely because he had applied earlier or was placed first on the waiting list. - RIICO was legally entitled to reserve industrial plots for public auction to secure the best value for public property. - The doctrine of legitimate expectation did not apply because no assurance of allotment had ever been given. - Rule 25(3) did not obligate RIICO to allot an alternative plot where no allotment had been made.
Ratio Decidendi	An applicant for an industrial plot acquires no vested right or legitimate expectation to allotment merely by filing an application or securing priority in the waiting list. RIICO is competent to reserve plots for disposal through public auction in the interest of transparency and securing the best value for public property.
Relevant para	22-26

44. Balotra Water Pollution Control & Research Foundation Trust (BWPCRT) v. State of Rajasthan & Others

Title	Balotra Water Pollution Control & Research Foundation Trust (BWPCRT) v. State of Rajasthan & Others Rajasthan High Court (Division Bench) D.B. Civil Writ Petition No. 10986 of 2015 Decided on: 8 October 2015 Coram: Justice Govind Mathur & Justice Jaishree Thakur.
Keywords	National Green Tribunal Act, 2010, Section 22, Section 29, Writ Jurisdiction

	Alternative Remedy, Environmental Protection, Pollution Control, Common Effluent Treatment Plant (CETP), Sustainable Development, Precautionary Principle, Polluter Pays Principle
Brief Facts of the Case	• The petitioner Trust (BWPCRT) was constituted to establish and manage Common Effluent Treatment Plants (CETPs) for controlling pollution caused by textile processing units in Balotra and nearby areas. • Environmental concerns regarding industrial pollution and contamination of groundwater led to proceedings before the Rajasthan High Court, which were later transferred to the National Green Tribunal (NGT). • The NGT issued several interim directions, including restraining industrial units from operating until compliance with environmental norms, installation of Reverse Osmosis (RO) plants, and obtaining authorisation under the Hazardous Waste Rules. • The petitioner challenged these interim orders before the Rajasthan High Court, contending that the NGT had exceeded its jurisdiction by passing such directions without first deciding the issue of limitation and that the orders adversely affected industrial activity.
Issues	1. Whether the High Court should entertain a writ petition against interim orders of the National Green Tribunal despite the statutory remedy of appeal under Section 22 of the National Green Tribunal Act, 2010. 2. Whether the NGT exceeded its jurisdiction by issuing interim directions before deciding the issue of limitation. 3. Whether the petitioner had established exceptional circumstances warranting exercise of writ jurisdiction under Article 226 of the Constitution.
Held	• The High Court dismissed the writ petition. • It held that the National Green Tribunal had jurisdiction to entertain environmental disputes under Section 14 of the NGT Act. • The availability of an effective statutory appeal before the Supreme Court under Section 22 weighed against exercising writ jurisdiction. • The pendency of the limitation issue did not render the Tribunal's interim orders patently without jurisdiction. • The Court observed that High Courts should be slow in interfering with matters falling within the exclusive jurisdiction of the NGT, particularly where environmental protection and the principles of sustainable development are involved.
Ratio Decidendi	Where the National Green Tribunal has jurisdiction over an environmental dispute and the National Green Tribunal Act provides an effective statutory appeal to the Supreme Court, the High Court should ordinarily decline to

	exercise its writ jurisdiction under Article 226. Mere pendency of a limitation objection before the Tribunal does not render its interim orders without jurisdiction.
Relevant para	25-26

45. Sahayog Silk Mills Pvt. Ltd. & Another v. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) & Others

Title	Sahayog Silk Mills Pvt. Ltd. & Another v. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) & Others Rajasthan High Court S.B. Civil Writ Petition No. 10129 of 2009. Judge: Justice Alok Sharma.
Keywords	RIICO Auction, Sale of Industrial Assets, Earnest Money, Forfeiture, Standard Terms and Conditions, Central Excise Dues, Indian Contract Act, 1872, Sections 51 & 52, Suppression of Material Facts, Writ Jurisdiction
Brief Facts of the Case	• RIICO invited bids for the sale of assets of M/s. Texcon Ltd. on an "as is where is" basis. • The petitioner submitted the highest bid of ₹58 lakhs, which RIICO accepted. • The acceptance letter required the petitioner to either obtain a No Dues Certificate from the Central Excise Department or furnish an indemnity bond regarding Central Government dues. • The petitioner refused to comply, claiming that this was a new condition not mentioned in the auction advertisement. • As the petitioner failed to deposit the balance sale consideration within the stipulated period, RIICO cancelled the sale and forfeited the earnest money of ₹2 lakhs. • The petitioner challenged the cancellation and forfeiture before the High Court.
Issues	1. Whether RIICO could impose the condition relating to Central Excise/Central Government dues in the letter of acceptance. 2. Whether RIICO was in breach of reciprocal obligations under Sections 51 and 52 of the Indian Contract Act, 1872. 3. Whether cancellation of the sale and forfeiture of earnest money were legal.
Held	• The High Court dismissed the writ petition. • It held that the auction advertisement expressly incorporated RIICO's standard terms and conditions, which included liability for Central Government/Central Excise dues. • The petitioner had signed and accepted those standard conditions and could not subsequently dispute them. • RIICO committed no breach of reciprocal obligations, as the petitioner's obligation to pay the balance amount and comply with the auction conditions arose first.

	• RIICO was justified in cancelling the sale and forfeiting the earnest money due to the petitioner's default. • The Court also imposed costs of ₹50,000 on the petitioner for suppression of material facts and misleading the Court.
Ratio Decidendi	1. The court held that the petitioner had suppressed material facts and based its petition on misleading facts because the petitioner had not disclosed the standard terms and conditions of the bid, which clearly stated that the bidder would be responsible for payment of dues of Central Government Departments/ Agencies, separately. 2. The court held that the petitioner's plea based on Section 51 of the Indian Contract Act, 1872 was untenable because there was no reciprocal promise made by RIICO which had to be performed before the petitioner's obligation to deposit the remainder of the bid amount and comply with condition 11 of the standard terms and conditions of the NIT as incorporated as condition No.6 in the letter dated 06.12.2007. 3. The court held that RIICO was entitled to forfeit the earnest money in view of the petitioner's default on its obligation to execute the agreement for the purchase of the assets of M/s. Texcon Ltd. on payment of remainder bid amount of Rs. 56 lakhs following the acceptance of its highest bid of Rs. 58 lakhs by RIICO under Its letter of acceptance dated 06.12.2007.
Relevant para	12-24

46. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Official Liquidator, Lath Steels Pvt. Ltd.

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Official Liquidator, Lath Steels Pvt. Ltd. Rajasthan High Court, Jaipur Bench S.B. Company Appeal No. 2 of 2013 Decided on: 29 June 2015 Judge: Justice Alok Sharma.
Keywords	Companies Act, 1956, Companies (Court) Rules, 1959, Rule 154, Rule 179, Winding Up, Official Liquidator, Secured Creditor, Determination of Debt, Interest after Winding Up, RIICO
Brief Facts of the Case	• M/s. Lath Steels Pvt. Ltd. was ordered to be wound up on 17.10.2003, and its assets were later sold by the Official Liquidator. • RIICO, the only secured creditor, submitted a claim of ₹14.76 crore, including contractual interest up to 2011. • The Official Liquidator admitted only ₹3.84 crore, calculating RIICO's debt only up to the date of the winding-up order under Rule 154 of the Companies (Court) Rules, 1959. • RIICO challenged the determination, claiming the entire sale proceeds along with interest. • The Official Liquidator contended that claims must be valued only as on the date of the winding-up order and that post-winding-up

	interest is payable only if surplus funds remain after satisfying all admitted claims.
Issues	1. Whether RIICO's debt should be determined up to the date of the winding-up order or up to the date of filing its claim. 2. Whether RIICO, as a secured creditor, was entitled to contractual interest after the winding-up order. 3. Whether Rule 179 of the Companies (Court) Rules entitled RIICO to further interest in the absence of surplus funds.
Held	• The High Court upheld the Official Liquidator's determination. • It held that under Rule 154, the value of a creditor's debt must be determined only as on the date of the winding-up order. • RIICO was not entitled to contractual interest beyond the winding-up date. • Since no surplus remained after satisfying admitted claims, Rule 179 was inapplicable and RIICO could not claim post-winding-up interest. • However, the Court directed that RIICO should receive the bank interest accrued on the admitted amount from 1 April 2013 until payment because the Official Liquidator had delayed disbursement after determining the claim. The appeal was accordingly disposed of.
Ratio Decidendi	Under Rule 154 of the Companies (Court) Rules, 1959, the debt of every creditor, whether secured or unsecured, must be valued as on the date of the winding-up order. Interest after the winding-up order is payable under Rule 179 only if a surplus remains after payment of all admitted claims.
Relevant para	7-10,11-13

47. **Bhiwadi Metal Rollwell (P) Ltd. v. State of Rajasthan & Others**

Title	Bhiwadi Metal Rollwell (P) Ltd. v. State of Rajasthan & Others Rajasthan High Court S.B. Civil Writ Petition No. 10175 of 2005 (with connected petition) Decided on: 13 June 2006 Judge: Justice K.S. Rathore.
Keywords	State Capital Investment Subsidy Scheme, 1990, Clause 14, RIICO Subsidy, Refund of Subsidy, Recovery of Public Demand, Rajasthan Public Demands Recovery Act, 1952, Continuous Production, Industrial Incentive, Breach of Conditions
Brief Facts of the Case	• The petitioner was granted subsidy under the State Capital Investment Subsidy Scheme, 1990, and RIICO disbursed part of the sanctioned subsidy. • The industrial unit remained closed for about 18 months due to electricity disconnection and other reasons. • Since the unit failed to remain in continuous production for five years as required under Clause 14 of the Scheme, RIICO demanded

	refund of the subsidy with 15% interest and initiated recovery proceedings under the Rajasthan Public Demands Recovery Act, 1952. The petitioner challenged RIICO's competence to recover the subsidy and contended that only the State Level Committee could withdraw the subsidy.
Issues	- Whether RIICO was competent to recover the subsidy granted under the State Capital Investment Subsidy Scheme, 1990. - Whether the petitioner's failure to maintain continuous production violated Clause 14 of the Scheme. - Whether the petitioner was entitled to retain the subsidy despite breach of the Scheme conditions.
Held	- The High Court dismissed the writ petition. - It held that the petitioner had admittedly remained out of production for about 18 months, contrary to Clause 14(b) of the Scheme. - Subsidy is not a vested right but an incentive, available only upon strict compliance with the Scheme. - RIICO, being the disbursing and recovery agency, was competent to recover the subsidy with interest after the State Level Committee decided to withdraw the benefit. - The recovery proceedings were held to be valid.
Ratio Decidendi	The benefit of the State Capital Investment Subsidy Scheme is an incentive and not a statutory right. Where an industrial unit violates the mandatory condition of continuous production under Clause 14 of the Scheme, RIICO is competent to recover the subsidy with interest in accordance with the Scheme and the Rajasthan Public Demands Recovery Act, 1952.
Relevant para	14-15

48. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Official Liquidator

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Official Liquidator Rajasthan High Court S.B. Company Application No. 20 of 2014 in Company Petition No. 34 of 1998 Decided on: 19 December 2014 Judge: Justice Alok Sharma.
Keywords	Companies Act, 1956, Official Liquidator, Winding Up, Recall of Winding-Up Order, State Financial Corporations Act, 1951, Sections 29 & 30, Mortgaged Assets, Possession, Companies (Court) Rules, 1959, RIICO

Brief Facts of the Case	- RIICO had advanced a term loan to M/s C.V. Steel Ltd. and, upon default, took possession of the mortgaged assets under Sections 29 and 30 of the State Financial Corporations Act, 1951. - Subsequently, the Company Court passed a winding-up order, pursuant to which the Official Liquidator took possession of the company's assets from RIICO. - Later, the winding-up order was recalled, and the company ceased to be under liquidation. - RIICO filed an application seeking restoration of possession of the mortgaged assets from the Official Liquidator so that it could exercise its statutory rights as a secured creditor.
Issues	- Whether RIICO was entitled to restoration of possession of the mortgaged assets after the winding-up order had been recalled. - Whether the Official Liquidator could continue to retain possession despite recall of the winding-up order. - Whether the assets should be inventoried before being handed over to RIICO.
Held	- The High Court allowed RIICO's application. - It held that once the winding-up order had been recalled and no provisional liquidator had been appointed, the Official Liquidator had no authority to retain possession of the company's assets. - RIICO, as the secured creditor, was entitled to recover possession and proceed under the State Financial Corporations Act, 1951. - The Court directed the Official Liquidator to hand over possession to RIICO after preparing an inventory in the presence of representatives of the company.
Ratio Decidendi	Where a winding-up order is recalled, the Official Liquidator loses authority to retain possession of the company's assets. The secured creditor (RIICO), having taken possession under Sections 29 and 30 of the State Financial Corporations Act, is entitled to restoration of possession to enforce its statutory rights.
Relevant para	9-11

49. LMJ Services Ltd. v. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO)

Title	LMJ Services Ltd. v. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) Rajasthan High Court Civil First Appeal No. 508 of 2005 Decided on: 17 May 2006 Judge: Justice Satya Prakash Pathak.
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Keywords	RIICO Disposal of Land Rules, 1979, Rule 27, Specific Performance, Cancellation of Allotment, Industrial Plot, Administrative Reasons, Public Interest, Specific Relief Act, 1963, Readiness and Willingness, Articles of Association
Brief Facts of the Case	• RIICO invited sealed tenders for allotment of an industrial plot (Plot No. C-1, Industrial Estate, Jodhpur), and LMJ Services Ltd. emerged as the successful bidder. • The appellant deposited the required development charges, service charges, and rent and claimed to be ready and willing to pay the balance amount upon delivery of possession. • Before possession could be delivered, several public agitations and writ petitions challenged the allotment. • RIICO, for administrative reasons and in the public interest, cancelled the allotment, refunded the amount deposited with interest, and informed the appellant. • The appellant filed a suit seeking possession of the plot and specific performance, which was dismissed by the trial court. The present appeal challenged that dismissal.
Issues	1. Whether the appellant was entitled to possession and specific performance of the allotment. 2. Whether the appellant had always been ready and willing to perform its part of the contract. 3. Whether RIICO had the authority to cancel the allotment under Rule 27 of the RIICO Disposal of Land Rules, 1979 and its Articles of Association.
Held	• The High Court dismissed the appeal and upheld the trial court's judgment. • It held that although the appellant was ready and willing to perform the contract, it was not entitled to specific performance or possession. • RIICO validly exercised its power under Rule 27 of the RIICO Disposal of Land Rules, 1979 and its Articles of Association to cancel the allotment due to public agitation and pending litigation. • The Court further held that there was no proof of mala fides against RIICO and that specific performance could rightly be refused under Section 20 of the Specific Relief Act.
Ratio Decidendi	RIICO has the authority under Rule 27 of the RIICO Disposal of Land Rules, 1979 and its Articles of Association to revoke or cancel an allotment before it attains finality, provided the decision is taken bona fide and for valid administrative or public interest reasons. Readiness and willingness of the allottee alone do not entitle it to specific performance where such cancellation is lawful.
Relevant para	9-15, 16-18, 19

50. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) through Senior Deputy General Manager v. M/s Ginni International Ltd.

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) through Senior Deputy General Manager v. M/s Ginni International Ltd. Rajasthan High Court, Jaipur Bench S.B. Civil Miscellaneous Appeal No. 3104 of 2015 Decided on: 20 October 2022 Judge: Justice Anoop Kumar Dhand.
Keywords	Land Acquisition Act, 1894, Section 23, Section 54, Compensation, Market Value, DLC Rates, Ready Reckoner, Reference Court, Evidence, Remand
Brief Facts of the Case	• The respondent's land at Village Majra Kaath, Alwar, was acquired for extension of an industrial area by RIICO. • The Land Acquisition Officer awarded compensation treating the land as agricultural. • On a reference under Section 18 of the Land Acquisition Act, the matter was earlier remanded by the High Court with directions to determine compensation afresh on the basis of evidence while treating the land as residential. • After remand, the Reference Court enhanced compensation solely on the basis of DLC (District Level Committee) rates contained in a certified but un-exhibited document, without any other oral or documentary evidence. • RIICO challenged the award, contending that DLC rates alone could not determine market value and that the document relied upon had not been proved in accordance with law.
Issues	1. Whether compensation for acquired land can be determined solely on the basis of DLC/Ready Reckoner rates. 2. Whether an un-exhibited DLC document could legally form the basis of enhancement of compensation. 3. Whether the Reference Court complied with the High Court's earlier remand directions requiring determination on the basis of evidence.
Held	• The High Court allowed RIICO's appeal. • It held that the Reference Court erred in determining compensation solely on the basis of DLC rates. • An un-exhibited document cannot be relied upon as evidence for determining compensation. • DLC rates are only one relevant factor and cannot by themselves determine market value under Section 23 of the Land Acquisition Act.

	The impugned award was quashed, and the matter was remanded to the Reference Court for fresh determination after considering proper evidence, including DLC rates along with other relevant material.
Ratio Decidendi	Compensation under Section 23 of the Land Acquisition Act cannot be determined solely on the basis of DLC/Ready Reckoner rates. The Reference Court must determine market value on the basis of legally admissible evidence, and DLC rates may only be considered as one relevant factor, not conclusive proof of market value.
Relevant para	33-40,41-46

51. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Smt. Suman Setiya & Another

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. Smt. Suman Setiya & Another Rajasthan High Court S.B. Civil Misc. Appeal Nos. 37 & 51 of 1995 Decided on: 9 February 2010 Judge: Dr. Justice Vineet Kothari.
Keywords	Land Acquisition Act, 1894, Section 4, Section 18, Section 23(1), Market Value, Compensation, Reference Court, Sale Deeds, Solatium Interest
Brief Facts of the Case	- Land measuring 17 bighas and 1 biswa belonging to Smt. Suman Setiya was acquired for development of an industrial area by RIICO under a notification issued under Section 4 of the Land Acquisition Act, 1894. - The Land Acquisition Officer awarded compensation at ₹3,500 per bigha. - On a reference under Section 18, the Reference Court enhanced the compensation by 50% to ₹5,250 per bigha, increased solatium from 10% to 30%, and awarded statutory interest. - RIICO challenged the enhancement as excessive, while the landowners sought further enhancement.
Issues	- Whether the Reference Court was justified in enhancing the market value of the acquired land. - Whether the compensation determined on the basis of sale deeds of nearby lands was proper. - Whether the Reference Court correctly awarded enhanced solatium and statutory interest under the Land Acquisition Act.
Held	- The High Court dismissed both appeals. - It held that the Reference Court had properly considered the relevant sale deeds of nearby agricultural lands and correctly estimated the market value.

	- RIICO failed to produce any evidence to justify a lower rate of compensation. - The enhancement of compensation, grant of 30% solatium, and award of statutory interest were upheld as being in accordance with the Land Acquisition Act.
Ratio Decidendi	While determining compensation under the Land Acquisition Act, the Reference Court must assess all relevant evidence, particularly comparable sale deeds of nearby lands. Where the acquiring authority fails to produce contrary evidence, a reasonable estimation of market value based on available evidence, along with statutory solatium and interest, is legally sustainable.
Relevant para	6-8, 9-10,11

52. Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) v. Additional District Judge No. 6, Jaipur City & Others

Title	Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) v. Additional District Judge No. 6, Jaipur City & Others Rajasthan High Court Reported as: 2019 Supreme (Raj) 824.
Keywords	Rajasthan Public Premises (Eviction of Unauthorized Occupants) Act, 1964, Public Premises, Estate Officer, Unauthorized Occupation, Industrial Allotment, Burden of Proof, RIICO, Writ Jurisdiction, Existing Industrial Unit
Brief Facts of the Case	- RIICO initiated proceedings under the Rajasthan Public Premises (Eviction of Unauthorized Occupants) Act, 1964 seeking eviction of Respondent No. 3, alleging unauthorized occupation of industrial land. - The respondent contended that the land had been allotted to his father in 1959 by the Urban Development Board for establishing an industry and that the industry had been functioning ever since. - The Estate Officer found that RIICO failed to produce any document proving that the land had been transferred to or vested in RIICO. On the other hand, the respondent produced allotment documents, industrial registration, revenue records, and other evidence showing lawful possession. - The Estate Officer dismissed RIICO's eviction application. The District Judge upheld the decision on merits. - RIICO challenged these orders before the High Court by filing a writ petition.
Issues	1. Whether RIICO established that the disputed land was public premises vested in it under the Rajasthan Public Premises (Eviction of Unauthorized Occupants) Act, 1964.

	2. Whether the respondent was an unauthorized occupant liable to eviction. 3. Whether the High Court should interfere with the concurrent findings of the Estate Officer and the District Judge in writ jurisdiction.
Held	• The High Court dismissed RIICO's writ petition. • It held that RIICO failed to prove ownership or transfer of the land in its favour, which was essential to invoke the Public Premises Act. • The respondent successfully established lawful allotment and continuous possession of the land for industrial purposes since 1959. • The Court held that RIICO could not treat an existing industrial unit as an unauthorized occupant merely because the area later came under RIICO's control. • While holding that an appeal against rejection of an eviction application is maintainable, the Court upheld the findings of the Estate Officer and District Judge on merits.
Ratio Decidendi	Before seeking eviction under the Rajasthan Public Premises (Eviction of Unauthorized Occupants) Act, 1964, RIICO must prove that the property is a public premise vested in it and that the occupant is unauthorized. Where lawful allotment and continuous possession are established, eviction proceedings under the Act are not maintainable. Concurrent factual findings of the Estate Officer and Appellate Authority are not ordinarily interfered with in writ jurisdiction.
Relevant para	9-10,11-12,13-15

53. Jagdish & Others v. District Judge, Tonk & Others

Title	Jagdish & Others v. District Judge, Tonk & Others Rajasthan High Court Reported as: 2011 Supreme (Raj) 1865.
Keywords	Land Acquisition Act, 1894, Section 18, Section 23, Section 34 RIICO, Compensation, Solatium, Interest, Reference Court, Award, Acquisition of Land
Brief Facts of the Case	• Agricultural land belonging to the appellants was acquired for development of an industrial area by RIICO under the Land Acquisition Act, 1894. • The Land Acquisition Officer passed an award determining compensation, which was accepted by the landowners. • The landowners nevertheless sought enhancement of compensation before the Reference Court under Section 18, claiming higher market value, additional compensation, solatium, and interest under Section 34.

	- The District Judge rejected most of their claims and upheld the award. - The landowners preferred appeals before the Rajasthan High Court challenging the judgment of the Reference Court.
Issues	- Whether the appellants were entitled to enhanced compensation for the acquired land. - Whether they were entitled to interest under Section 34 of the Land Acquisition Act. - Whether acceptance of the compensation awarded by the Land Acquisition Officer barred the landowners from seeking a reference under Section 18. - Whether the Reference Court rightly upheld the Land Acquisition Officer's award.
Held	- The High Court dismissed all the appeals and affirmed the award of the Land Acquisition Officer as well as the Reference Court's judgment. - It held that the appellants were not entitled to interest under Section 34, since compensation, including solatium, had been paid within the statutory period after possession. - The Court clarified that mere acceptance of compensation does not bar a landowner from seeking a reference under Section 18 of the Act. - However, on the merits, the appellants failed to establish any ground for enhancement of compensation or amendment of the award.
Ratio Decidendi	A landowner who accepts compensation awarded by the Land Acquisition Officer is not precluded from seeking a reference under Section 18 of the Land Acquisition Act. However, interest under Section 34 is payable only where compensation is not paid or deposited within the statutory period after taking possession; where payment is made in time, no such interest is payable.
Relevant para	29-31

54. Geeta Devi Ghatiwala & 5 Others v. State of Rajasthan & Others

Title	Geeta Devi Ghatiwala & 5 Others v. State of Rajasthan & Others Rajasthan High Court Reported as: 1992 Supreme (Raj) 980.
Keywords	Land Acquisition Act, 1894, Section 4, Section 6, Section 9(1) & 9(3), Land Acquisition Proceedings, Premature Notice, Jurisdiction, RIICO, Public Purpose, Mandatory Procedure
Brief Facts of the Case	The petitioners challenged the acquisition of their agricultural lands acquired for development of an industrial area by RIICO under the Land Acquisition Act, 1894.

	• They contended that the Land Acquisition Officer issued notices under Sections 9(1) and 9(3) before the declaration under Section 6 was validly published. • The petitioners also alleged non-compliance with the statutory procedure prescribed under the Act. • RIICO argued that the acquisition was otherwise valid and that quashing it would adversely affect the industrial development scheme, as compensation had already been paid to several landowners.
Issues	1. Whether the Land Acquisition Officer could issue notices under Sections 9(1) and 9(3) before publication of the declaration under Section 6 of the Land Acquisition Act. 2. Whether such premature notices rendered the acquisition proceedings without jurisdiction. 3. Whether non-compliance with the statutory sequence prescribed under the Land Acquisition Act vitiated the acquisition.
Held	• The High Court allowed the writ petitions. • It held that the declaration under Section 6 must first be published in accordance with law before the Collector can proceed under Section 9. • Notices issued under Sections 9(1) and 9(3) prior to such publication were without jurisdiction and invalid. • The Court rejected RIICO's plea that public interest or payment of compensation could cure the statutory defect. • Consequently, the acquisition proceedings and the award, insofar as they related to the petitioners' lands, were quashed.
Ratio Decidendi	The statutory sequence under the Land Acquisition Act, 1894 must be strictly followed. A notice under Sections 9(1) and 9(3) can be issued only after the declaration under Section 6 has been validly published. Any notice issued before such publication is without jurisdiction and vitiates the acquisition proceedings.
Relevant para	11-16

55. Subham Gems v. State of Rajasthan & Others

Title	Subham Gems v. State of Rajasthan & Others Rajasthan High Court Reported as: 1998 Supreme (Raj) 1207.
Keywords	Industrial Subsidy, RIICO, Gem Development Corporation, Industrial Area

	Promissory Estoppel, Government Agreement, Development Charges, Incentive Scheme, Industrial Development, Legitimate Expectation
Brief Facts of the Case	• The petitioners established industrial units in a gemstone industrial area after being allotted plots under a Government incentive scheme. • They had entered into agreements with the State Government providing for grant of subsidy for establishing industries. • The State refused to release the subsidy on the ground that the industrial area had been developed by the Gem Development Corporation, and not directly by RIICO. • The petitioners contended that the subsidy was linked to establishment of the industry and not to the agency which developed the industrial area. • Aggrieved by the denial of subsidy, they filed writ petitions before the Rajasthan High Court.
Issues	1. Whether the petitioners were entitled to subsidy under the Government agreement despite the industrial area being developed through the Gem Development Corporation. 2. Whether the State could deny subsidy merely because RIICO had entrusted development of the industrial area to another agency. 3. Whether the Government was bound by the terms of the subsidy agreement executed with the petitioners.
Held	• The High Court allowed the writ petitions. • It held that the subsidy scheme was intended to encourage establishment of industries and was not dependent on the identity of the agency developing the industrial area. • RIICO's decision to develop the area through the Gem Development Corporation did not alter the petitioners' entitlement to subsidy. • The State was bound by the agreement executed with the petitioners and could not refuse subsidy on an untenable ground. • The Court directed the respondents to release the subsidy within three months, failing which the petitioners would be entitled to interest at 15% per annum from the date the subsidy became due.
Ratio Decidendi	Where the Government has agreed to grant subsidy for establishment of industries, it cannot deny the benefit merely because the industrial area was developed through another agency instead of RIICO. The subsidy is linked to industrial establishment, and the Government is bound by its contractual obligations under the subsidy agreement.
Relevant para	10-14

56. Mohan Lal Sharma v. Union of India & Others

Title	Mohan Lal Sharma v. Union of India & Others Rajasthan High Court Reported as: 2007 Supreme (Raj) 1082.
Keywords	Special Economic Zone (SEZ), Rajasthan Special Economic Zones Act, 2003, Special Economic Zones Act, 2005, RIICO, Jaipur Development Authority (JDA), Public Interest Litigation (PIL), Public Purpose, Land Allotment, Public-Private Partnership (PPP), Judicial Review
Brief Facts of the Case	• The petitioner filed a Public Interest Litigation challenging the allotment of land by the Jaipur Development Authority (JDA) to RIICO, which in turn made the land available to Mahindra World City (Jaipur) Ltd. for establishing a Special Economic Zone (SEZ). • It was alleged that the allotment was arbitrary, contrary to the Rajasthan SEZ Act, 2003, and that no rules had been framed for selecting the developer. • The respondents contended that the project was a public-private partnership, RIICO held 26% equity in the project company, and the proposal had received approvals from the State Government and the Central Government under the Special Economic Zones Act, 2005. • The petitioner sought cancellation of the lease and the land allotment.
Issues	1. Whether the allotment of land to Mahindra World City through RIICO for establishment of an SEZ was arbitrary or illegal. 2. Whether the proposal ought to have been governed by the Rajasthan SEZ Act, 2003 instead of the Special Economic Zones Act, 2005. 3. Whether the absence of State Rules for selection of the developer rendered the allotment invalid. 4. Whether the High Court should interfere with the SEZ project in exercise of its PIL jurisdiction.
Held	• The High Court dismissed the PIL. • It held that the allotment of land to RIICO and its transfer to the project company was made in public interest for establishing an SEZ, a project intended to promote economic growth, investment, and employment. • After the coming into force of the Special Economic Zones Act, 2005, the proposal was rightly processed under the Central Act, and there was no requirement to continue under the State Act of 2003. • The Court found that the decision-making process was transparent, having been approved at various governmental levels, and there was no arbitrariness or illegality in the allotment.

	Consequently, no ground for interference under Article 226 was made out.
Ratio Decidendi	Where land is allotted for establishment of a Special Economic Zone through a transparent process, with approvals under the Special Economic Zones Act, 2005, the High Court will not interfere in a Public Interest Litigation unless arbitrariness, mala fides, or violation of statutory provisions is established. A proposal validly processed under the Central Act need not continue under the earlier State enactment.
Relevant para	20-26

57. Infocom (India) Pvt. Ltd. v. State of Rajasthan & Others

Title	Infocom (India) Pvt. Ltd. v. State of Rajasthan & Others Rajasthan High Court, Jaipur Bench S.B. Civil Writ Petition No. 5987 of 2005 Reported as: 2010 Supreme (Raj) 1171 Decided on: 3 February 2010 Judge: Justice R.S. Chauhan.
Keywords	Urban Improvement Trust (UIT), Rule 15-B, Rajasthan Improvement Trust (Disposal of Urban Land) Rules, 1974, Section 102-A, Rajasthan Land Revenue Act, 1956, Infrastructure Project, Allotment of Land, Natural Justice Automatic Cancellation, Judicial Review, State Government, Agency Principle
Brief Facts of the Case	- The State Government approved allotment of land to Infocom (India) Pvt. Ltd. for establishing a Hospital and Biotech Research Centre in Kota. - The land had been placed at the disposal of the Urban Improvement Trust (UIT), Kota under Section 102-A of the Rajasthan Land Revenue Act, with the UIT acting only as an agent of the State Government. - While issuing the allotment letter, the UIT imposed additional conditions, including automatic cancellation for non-payment within the stipulated period and restrictions on transfer, which were not part of the State Government's approval. - The petitioner challenged these conditions and the subsequent cancellation of the allotment without being given an opportunity of hearing, alleging that the UIT had exceeded its statutory authority.
Issues	- Whether the UIT had authority to impose conditions beyond those prescribed by the State Government under Rule 15-B and Section 102-A. - Whether the UIT acted independently or merely as an agent of the State Government in disposing of the land.

	3. Whether cancellation of the allotment without notice violated the principles of natural justice. 4. Whether the State Government validly ratified the UIT's actions.
Held	• The High Court allowed the writ petition. • It held that the UIT, acting under Section 102-A, functioned only as an agent of the State Government and could not impose conditions beyond those approved by the State. • The conditions relating to automatic cancellation and other additional restrictions were held to be illegal and ultra vires. • Cancellation of the allotment without affording the petitioner an opportunity of hearing violated the principles of natural justice. • The Court quashed Conditions Nos. 6 and 11 of the allotment letter, set aside the Cabinet decision approving the cancellation, and directed the State Government to issue a fresh demand notice.
Ratio Decidendi	Where land is entrusted to the UIT under Section 102-A of the Rajasthan Land Revenue Act, the UIT acts only as an agent of the State Government and cannot impose conditions beyond those approved by the State. An allotment cannot be cancelled on the basis of unauthorized conditions or without complying with the principles of natural justice.
Relevant para	70-85, 120-140,141

58. Shakti Dan Charan & Another v. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) & Others

Title	Shakti Dan Charan & Another v. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) & Others Rajasthan High Court, Jaipur Bench S.B. Civil Writ Petition No. 8966 of 2014 Decided on: 2 September 2015 Judge: Justice Veerendr Singh Siradhana.
Keywords	RIICO Recruitment, Junior Assistant, Eligibility Criteria, Minimum Pass Marks, Recruitment Examination, Estoppel, Selection Process Advertisement, Phase-I and Phase-II Examination, Article 226
Brief Facts of the Case	• RIICO issued an advertisement inviting applications for the post of Junior Assistant. • The petitioners appeared in Phase-I of the recruitment examination but failed to secure the minimum 40% marks in one of the sections, though they obtained more than 40% overall. • Consequently, they were declared ineligible for Phase-II. • The petitioners challenged the selection criteria, contending that the advertisement required only 40% aggregate marks in Phase-I and did not prescribe 40% marks in each section.

	RIICO argued that the requirement of securing 40% marks in each section was expressly mentioned in the advertisement, syllabus, general guidelines, and instructions for candidates.
Issues	- Whether the requirement of obtaining minimum 40% marks in each section of Phase-I was valid. - Whether the petitioners, after participating in the recruitment process without objection, could challenge the selection criteria. - Whether RIICO acted arbitrarily in refusing to allow the petitioners to appear in Phase-II.
Held	- The High Court dismissed the writ petitions. - It held that the requirement of securing 40% marks in each section was clearly stipulated in the advertisement, syllabus, general guidelines, and instructions issued by RIICO. - Since the petitioners had participated in the recruitment process without any protest, they were estopped from challenging the selection criteria after being unsuccessful. - The Court distinguished the earlier decision in Devender Singh Chauhan and relied upon the Supreme Court decisions in Dhananjay Malik v. State of Uttaranchal and Madan Lal v. State of J&K.
Ratio Decidendi	A candidate who participates in a recruitment process with full knowledge of the prescribed eligibility and selection criteria cannot, after being unsuccessful, challenge those criteria. Where the advertisement and recruitment guidelines clearly prescribe minimum qualifying marks in each section, such condition is valid and binding on all candidates.
Relevant para	17-18, 19-21

59. Sumer Khan & Others v. State of Rajasthan & Others

Title	Sumer Khan & Others v. State of Rajasthan & Others Rajasthan High Court Reported as: 2009 Supreme (Raj) 517
Keywords	Land Acquisition Act, 1894, Section 5A, Section 6, Personal Hearing, Natural Justice, RIICO, Public Purpose, Government Company, Part II and Part VII of the Land Acquisition Act, Mandatory Procedure
Brief Facts of the Case	- The petitioners challenged the acquisition of their land for development of an industrial area by RIICO under the Land Acquisition Act, 1894. - They contended that since the land was being acquired for a company, the acquisition should have been under Part VII of the Act instead of Part II.

	• They further alleged that although they had filed objections under Section 5A(1), the Land Acquisition Officer failed to provide an effective personal hearing as required by Section 5A(2). • RIICO and the State argued that RIICO, being a Government company, was covered by Section 3(cc), and acquisition for RIICO was for a public purpose, making Part II applicable. They also claimed that an opportunity of hearing had been provided.
Issues	1. Whether acquisition of land for RIICO should be made under Part II or Part VII of the Land Acquisition Act, 1894. 2. Whether RIICO, being a Government company, could acquire land for a public purpose under Part II. 3. Whether the hearing afforded under Section 5A(2) satisfied the mandatory requirement of law. 4. Whether violation of Section 5A(2) vitiated the acquisition proceedings.
Held	• The High Court held that RIICO is a Government company, and acquisition of land for RIICO for industrial development is acquisition for a public purpose under Part II of the Land Acquisition Act. Hence, the challenge on this ground failed. • However, the Court found that the hearing under Section 5A(2) was merely an empty formality. Notice of hearing was published only one day before the hearing, and there was no record showing that effective personal hearings were granted to the objectors. • Since compliance with Section 5A(2) is mandatory, the declaration under Section 6 was quashed in respect of the petitioners. • The State was granted liberty to proceed afresh from the Section 4 notification after giving proper hearing under Section 5A(2).
Ratio Decidendi	Where objections are filed under Section 5A(1) of the Land Acquisition Act, the Collector must provide an effective and meaningful personal hearing under Section 5A(2). Mere formal compliance is insufficient. Violation of this mandatory requirement vitiates the subsequent declaration under Section 6, irrespective of the public purpose of the acquisition.
Relevant para	28-29, 32-33

60. Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. State of Rajasthan & Others

Title	Rajasthan State Industrial Development & Investment Corporation Ltd. (RIICO) v. State of Rajasthan & Others Rajasthan High Court Reported as: 1998 Supreme (Raj) 588
Keywords	Land Acquisition Act, 1894, Section 23(1-A), Section 23(2)

	Section 34, Rajasthan Land Acquisition (Amendment) Act, 1987, Section 56(8) & 56(9), Collector's Jurisdiction, Land Acquisition Officer (LAO), Additional Compensation, Solatium, Interest
Brief Facts of the Case	- Land was acquired for RIICO, and awards were passed by the Land Acquisition Officer (LAO) in 1984–1985. - After the Rajasthan Land Acquisition (Amendment) Act, 1987 came into force, the landowners applied before the LAO for additional compensation under Section 23(1-A), enhanced solatium under Section 23(2), and interest under Section 34. - The LAO allowed the application and granted the statutory benefits. - RIICO challenged the order, contending that after passing the award, the LAO had become functus officio and only the Reference Court could grant such relief.
Issues	- Whether the Collector/LAO had jurisdiction to grant additional compensation, solatium, and interest after passing the award. - Whether the LAO had become functus officio after making the original award. - Whether such relief could be granted only by the Reference Court where enhancement proceedings were pending.
Held	- The High Court dismissed RIICO's writ petition. - It held that Sections 56(8) and 56(9) of the Rajasthan Land Acquisition (Amendment) Act, 1987 expressly empower the Collector/LAO to grant additional compensation, enhanced solatium, and re-determined interest under Sections 23(1-A), 23(2), and 34 of the Land Acquisition Act. - The LAO did not become functus officio for this limited statutory purpose. - Even if the Reference Court was seized of the matter, the Collector retained statutory authority to award these benefits. - Accordingly, the LAO's order granting additional compensation and interest was upheld.
Ratio Decidendi	Sections 56(8) and 56(9) of the Rajasthan Land Acquisition (Amendment) Act, 1987 specifically authorize the Collector/LAO to award additional compensation under Section 23(1-A), enhanced solatium under Section 23(2), and re-determined interest under Section 34, even after the original award has been passed. Therefore, the Collector does not become functus officio for granting these statutory benefits.
Relevant para	Para 4-7

61. **RIICO Limited v. Varun Khandelwal & Another**

Title	RIICO Limited v. Varun Khandelwal & Another Rajasthan High Court (Division Bench)
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	Reported as: 2020 Supreme (Raj) 637.
Keywords	RIICO Disposal of Land Rules, 1979, Rule 24(4), Re-allotment of Industrial Plot, Cancellation of Allotment, Representation, Writ Jurisdiction, Scope of Relief, Appellate Jurisdiction, Natural Justice, Division Bench
Brief Facts of the Case	- RIICO cancelled the allotment of an industrial plot and took possession of the plot. - The allottee company sought re-allotment under Rule 24(4) of the RIICO Disposal of Land Rules, 1979, while Varun Khandelwal filed a representation/objecting to RIICO's action. - In the writ petition, the petitioner only prayed for a direction to RIICO to decide his representation and consider his request for re-allotment. - However, the learned Single Judge went beyond the relief sought by restraining RIICO from auctioning the plot, imposing costs of ₹50,000 on RIICO, and issuing additional directions. - RIICO challenged the order before the Division Bench.
Issues	- Whether the learned Single Judge could grant relief beyond the prayer made in the writ petition. - Whether RIICO should be directed to decide the petitioner's representation under Rule 24(4) of the RIICO Disposal of Land Rules, 1979. - Whether the additional directions, including restraint on auction and imposition of costs, were legally sustainable.
Held	- the Division Bench allowed the appeals. - It held that the learned Single Judge had travelled beyond the relief sought by the petitioner in the writ petition. - The impugned order was set aside. - RIICO was directed to decide the company's application under Rule 24(4) and Varun Khandelwal's representation expeditiously, preferably within 30 days, in accordance with law.
Ratio Decidendi	A writ court cannot grant relief beyond the prayers sought by the petitioner. Where the grievance is limited to consideration of a representation, the Court should ordinarily direct the competent authority to decide it in accordance with law rather than granting substantive relief not prayed for.
Relevant para	10-13

62. Maman Singh & Others v. State of Rajasthan & Others

Title	Maman Singh & Others v. State of Rajasthan & Others Rajasthan High Court, Jaipur Bench S.B. Civil Writ Petition No. 14440 of 2011 Reported as: 2014 Supreme (Raj) 690 Decided on: 2 January 2014
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	Judge: Justice Mohammad Rafiq.
Keywords	Land Acquisition Act, 1894, Sections 4, 6 & 48, RIICO, Exclusion from Acquisition, Old Age Home, Temple, Public Purpose, Developed Land, Status Quo, Withdrawal from Acquisition
Brief Facts of the Case	• The petitioners challenged the notifications issued under Sections 4 and 6 of the Land Acquisition Act, 1894, and the award dated 1 July 2011 relating to Khasra Nos. 64 and 65, acquired for RIICO. • They contended that Khasra No. 65 contained an old age home (Shri Krishan Kanhaiya Old Age House) and Hanuman Mandir Panch Peeth, constructed partly with Government aid, and therefore should be excluded from acquisition. • The petitioners had filed objections under Section 5A. The Land Acquisition Officer recommended exclusion of the land containing the old age home and temple, and RIICO also expressed no objection to such exclusion. • However, the State Government proceeded with the declaration under Section 6 and passed the award. • At the time of hearing, possession of the land had not yet been taken by the State or RIICO.
Issues	1. Whether the land containing the old age home and temple should be excluded from acquisition under Section 48 of the Land Acquisition Act. 2. Whether the Court should quash the acquisition proceedings or direct the State Government to consider withdrawal from acquisition. 3. Whether the petitioners could be required to accept 25% developed land in lieu of the acquired land.
Held	• The High Court disposed of the writ petition without quashing the acquisition. • It directed the State Government to consider the petitioners' request for exclusion of Khasra No. 65 under Section 48 of the Land Acquisition Act within three months of receiving an application. • The Court ordered status quo regarding Khasra No. 65 until such decision. • With respect to Khasra No. 64, the petitioners were permitted to opt for 25% developed land in accordance with the award. • If exclusion was refused, the petitioners were granted liberty to file a fresh writ petition challenging the acquisition.
Ratio Decidendi	Where possession of acquired land has not been taken and the Land Acquisition Officer, as well as RIICO, support exclusion of a portion of the land from acquisition, the State Government should consider exercising its

	power under Section 48 of the Land Acquisition Act. The Court may direct such consideration and maintain status quo instead of immediately quashing the acquisition proceedings.
Relevant para	5-6

63. Hanuman Singh & Others v. State of Rajasthan & Others

Title	Hanuman Singh & Others v. State of Rajasthan & Others Rajasthan High Court Reported as: 2008 Supreme (Raj) 2714.
Keywords	Land Acquisition Act, 1894, Section 17, Urgency Clause, Section 5A, Dispensation of Enquiry, Public Purpose, RIICO, Industrial Area, Judicial Review, Natural Justice
Brief Facts of the Case	- The petitioners challenged the acquisition of their agricultural land for development of an industrial area by RIICO under the Land Acquisition Act, 1894. - The State invoked the urgency provisions under Section 17, dispensing with the enquiry under Section 5A. - The petitioners contended that there was no real urgency to justify dispensing with the valuable right of hearing under Section 5A and alleged procedural irregularities in the acquisition proceedings. - The State and RIICO maintained that the acquisition was for an important public purpose and that invocation of the urgency clause was justified for timely industrial development.
Issues	- Whether the State Government validly invoked the urgency provisions under Section 17 of the Land Acquisition Act. - Whether dispensing with the enquiry under Section 5A was lawful. - Whether the acquisition proceedings for RIICO's industrial development project were liable to be quashed for procedural irregularities.
Held	- The High Court dismissed the writ petitions. - It held that the acquisition was for a public purpose, namely development of an industrial area by RIICO. - The State Government had validly exercised its power under Section 17 to invoke the urgency clause and dispense with the enquiry under Section 5A. - Once the enquiry under Section 5A stood validly dispensed with, the subsequent order dated 28.06.2006 purporting to reject objections became non est and ineffective. - No ground was made out for interference with the acquisition proceedings.
Ratio Decidendi	Where the State Government validly invokes the urgency provisions under Section 17 of the Land Acquisition Act for acquisition of land for a genuine public purpose, the enquiry under Section 5A can be lawfully dispensed

	with. Any subsequent proceedings purporting to decide objections under Section 5A become legally inconsequential, and the acquisition cannot be challenged merely on that ground.
Relevant para	14-24