



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

D.B. Civil Writ Petition (PIL) No. 19094/2018

1. Sawai Singh Sodha

2. Rewant Singh

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary
Panchayat Raj Department, State Of Rajasthan, Govt.
Secretariat, Jaipur.

2. The District Collector, Jaisalmer.

3. Tehsildar, Jaisalmer.

4. Vikas Adhikari, Panchayat Samiti, Jaisalmer.

5. Gram Panchayat Parevar, Through Its Sachiv, Tehsil And
District Jaisalmer.

6. Sarpanch, Gram Panchayat Parevar, Tehsil And District
Jaisalmer.

----Respondents

For Petitioner(s) : Mr. Shyam Paliwal

For Respondent(s) : Mr. Sunil Beniwal, AAG

HON'BLE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA

HON'BLE MR. JUSTICE MADAN GOPAL VYAS

Order

07/03/2022

Heard.

This writ petition seeking to espouse public cause has been filed by the petitioners making certain allegations that works under MGNREGA have not been done as per the claim of the authorities and without proper work either having been completed



or fully done, various bills have been raised and public fund has been siphoned.

After going through the petition, we find that though there are allegations made in the petition, there is no *prima facie* material along with the petition to sustain the allegations of the petitioners.

In the reply filed by the respondents, it is submitted that subsequent to filing of the petition, an enquiry on the complaints as made in the petition was carried out but complaints were found to be frivolous, baseless and politically motivated. A copy of the order of the Divisional Commissioner, Jodhpur dated 08.03.2019 is placed on record along with the reply. The said order indicates that the enquiry was made after filing of the petition.

The main grievance in the petition was that despite complaints being made, no enquiry is being conducted. Therefore, as far as that part is concerned, it appears that some enquiry has been made and order has been passed.

Learned counsel for the petitioners prays that he may be permitted to place on record various materials to sustain his allegations by way of filing rejoinder.

We are afraid such permission cannot be granted. If there are no specific allegations contained in the petition, it cannot be allowed to be supplied by way of rejoinder as that is not the scope of rejoinder.

Considering that the matter has now been enquired and order has been passed, we are not inclined to proceed further in the matter. It would, however, be open for the petitioners to file a properly constituted petition to demonstrate by clinching material



sustaining allegations of either work done, not done or not fully done, yet payments made under the MGNREGA scheme of the Government.

The petition is disposed off accordingly.

(MADAN GOPAL VYAS),J (MANINDRA MOHAN SHRIVASTAVA),ACJ



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