

RAJASTHAN HIGH COURT

Zila Jat Mahasabha

Vs.

State of Rajasthan

Civil Writ Petn. No. 2777 of 2002, with Civil Misc. Stay Appln. No. 2542 of 2002
(S.K. Keshote and Shashi Kant Sharma, JJ.)

15.05.2002

JUDGEMENT

S. K. Keshote and Shashi Kant Sharma, JJ.

1. Heard learned counsel for the petitioner, perused the memo of writ petition. This writ petition is in the form of Public Interest Litigation. The petitioner has prayed for the following relief:-

"It is, therefore, most respectfully prayed that your Lordships may graciously be pleased to accept and allow this writ petition and in the interest of public, issue an appropriate writ, order or direction in the nature of :

(i) By directing the respondents even not to change the name of Heera Das Circle as Dr. Ambedkar Circle and it should remain same as Heera Das Circle as it was /is.

(ii) By directing the respondents to maintain peace by way of not allowing any one else for Installation of statue of Dr. B. R. Ambedkar.

(iii) By directing the respondents to keep close watch so that the statue of Dr. B. R. Ambedkar may not be installed at Heera Das Circle.

(iv) By directing the respondents that in case the proposal of Installation of statue is taken at Circle Heera Das, then in such circumstances the statute of only Maharaja Jaswant Singh may be installed as the feelings of the people are attached with their Great Maharaja Jaswant Singh.

(v) By directing the respondents that in case any proposal is taken or is going to be taken, in regard to Installation of statue of Dr. B. R. Ambedkar at Heera Das Circle or in regard to changing the name of Heera Das Circle as Dr. Ambedkar Circle, may be quashed and set aside.

(vi) Any other relief which your Lordships may deem fit and proper in the facts and circumstances of the case may also kindly be passed in favor of the petitioner and against the respondents.

(vii) Cost of the writ petition may kindly be allowed in favor of the petitioner and against the respondents."

2. Learned counsel for the petitioner has made reference of Annexure-2, which is the detail of proceedings of the meeting under the Chairmanship of Secretary, Local Self-Government. It is the contention of learned counsel for the petitioner that this Committee has taken a decision that one statue of a great personality in one city/ town will be sufficient. This decision was taken and sent to Collector Dholpur. Learned counsel for the petitioner submits that despite of the aforesaid decision a group of persons has managed to install the statue of his dignitary, though such statue is already installed in *Bharatpur City*. He submitted that now the persons of this group are sitting on Dharna and they have made it prestige issue to install the statue at the place in dispute and if it is not done it may disturb law and order situation. The petitioner prayed for direction to respondents for installation of the statue of Maharaja Jaswant Singh on disputed site.

3. It is the matter of Installation of statue of dignitary of City/Town/Village, which ultimately concern of the District Administration or the State Government Officers sitting at Secretariate, Jaipur. Where a group of persons is desirous for Installation of statue of a dignitary in such matters the decision has to be taken by District Administration or by the High Power Committee. Such dispute ordinarily should not be brought directly to the Court and moreso, where in matter of Installation of statue State Government alleged to have already taken a decision. In case the Collector or other District Authorities is not accepting the same and rather acting contrary to the same the matter is to have been brought to the notice of the State Government. Where any District Officer of District Administration goes contrary to the decision taken by the Committee sitting at Secretariate, *Jaipur*, certainly it is to be viewed seriously by State Government and appropriate action is to be taken against erring officer, but it is not the stage where this writ petition should have been filed.

4. In such matters, first the grievance has to be made before the District Collector and when the complainant is not satisfied with the decision of Collector he may approach to State Government. Where this grievance is made at the District Level, the Collector has to decide the matter after hearing all concerned parties and then to take a decision.

5. It is the matter where demands are being raised by the public for Installation of statue at a particular site of the great personality by particular group of persons. In case the decision of Collector is not acceptable, the matter may be taken before the State Government and it is to be resolved by the High Power Committee, so that unnecessary litigations /disputes may not be there by the followers of the Dignitary.

6. Subject to aforesaid directions/observations, the writ petition is dismissed.

7. As a result of disposal of writ petition the stay application is also dismissed.
Petition dismissed.