

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

S.B. Civil Writ Petition No. 1639/2024

Dhruva Engineers, Through Its Partner Vimal Raj Singhvi S/o
Kewal Raj Sa Singhvi Age 80 Years R/o E-65, Shastri Nagar,
Jodhpur Having Its Office At 29 (1) Light Industrial Area,
Jodhpur.

----Petitioner

Versus

1. Board Of Revenue, Ajmer.
2. Assistant District Collector, Cum Sub - Divisional Officer
(North) Jodhpur.
3. Tehsildar, District Jodhpur.
4. Laxmi Devi Alias Guddi D/o Late Smt. Naini Devi, Caste
Goswami, R/o 140, Veer Durgadas Colony, Baldev Nagar,
Masuriya, Jodhpur.
5. District Collector, Jodhpur.
6. Lakhdan Charan, Patwari, Keru Tehsil And District Jodhpur
Presently Posted As Patwari Nandana Kalan, Tehsil And
District Jodhpur.

----Respondents

For Petitioner(s)	:	Mr. Manish Shishodia, Sr. Advocate Mr. Vikas Balia Sr. Advocate assisted by Mr. Harshvardhan Singh Rathore and Mr. Hemant Balani
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HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

08/02/2024

Heard learned Senior Counsel for the petitioner.

Learned Senior Counsel for the petitioner submits that the
petitioner filed a review application as well as an application under
Order 9 Rule 13 CPC for setting aside the *ex parte* order dated
21.07.2023 before the SDO, Jodhpur. The application under Order

9 Rule 13 CPC filed by the petitioner was allowed on 27.12.2023 and as a consequence thereof, the review application was also decided by the order of even date. Against the orders dated 27.12.2023, two revision petitions were filed before the Board of Revenue. The revision petition filed by the respondent No.4 Laxmi Devi against the order dated 27.12.2023 passed by the SDO on the application of the petitioner under Order 9 Rule 13 CPC has been rejected vide order dated 05.01.2024. Against the second order dated 27.12.2023 which was passed on the review application preferred by the petitioner, the Board of Revenue vide order dated 16.01.2024 has issued the notices and after hearing learned counsel for the parties stayed the operation of the order dated 27.12.2023.

Learned Senior Counsel submits that since the effect of passing of the two orders dated 05.01.2024 and 16.01.2024 runs contrary to each other and, therefore, the proceedings pending before the learned SDO Court cannot take place.

Matter requires consideration.

Issue notice. Issue notice of the stay application also, returnable on 27.02.2024. Notices be given 'dasti' as well.

In the meanwhile and till the next date of hearing, effect and operation of the order dated 16.01.2024 passed by the Board of Revenue in Revision Petition No.2024/65 (correct No.65/2024) shall remain stayed.

(VINIT KUMAR MATHUR),J