

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

S.B. Civil Second Appeal No. 120/2018

Shiv Narayan S/o Shri Banshi Lal by caste Bajaj aged about 71 years, resident of Maheshwari Bhojnalay, Gole Pio, Chittorgarh (Raj.)

----Appellants

Versus

1. Smt. Kanta Devi W/o Shri Sharad Kumar by caste Soni, resident of near Meera Market, Chittorgarh (Raj.).
2. The Municipal Board, Chittorgarh , Through Its Executive Officer, Chittorgarh.
3. The Executive Officer , Municipal Board, Chittorgarh.

----Respondents

For Appellant(s)	:	Mr. Prashant Tatia.
For Respondent(s)	:	

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

11/07/2018

It is submitted by learned counsel for the appellant that the appellant has only constructed boundary wall alongwith certain pillars, which has been taken as construction in the set-back by the trial court and the first appellate court. It is submitted that the appellant does not intend to use the said pillars for raising any construction in future.

In view of the submissions made, issue notice. Issue notice of stay application also.

Both are made returnable within a period of four weeks.

Notices when issued be given 'dasti' to learned counsel for the appellant.

In the meanwhile and till the next date, the decree passed by the trial court regarding demolition of the construction shall remain stayed. However, the decree pertaining to compounding as well as construction in the set-back shall remain in force and the appellant shall not raise any construction against the construction permission.

(ARUN BHANSALI),J

Rm/76

RAJASTHAN HIGH COURT



सत्यमेव जयते