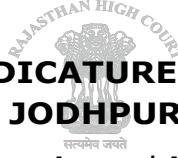




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**



S.B. Civil Misc. Appeal No. 838/2009

1. Liyakat S/o Late Shri Hamid Shah Fakir, aged 55 years, resident of Ropan, Tehsil Jahajpur, District Bhilwara.
- 2 Smt. Maina D/o Hameed Shah W/o Peeru Fakir, resident of Sanganer District Bhilwara
3. Smt. Mumtaz D/o Hameed Shah W/o Jamal, resident of Sanganer, District Bhilwara
4. Smt. Jaitoon D/o Hameed Shah W/o Mamur Fakir, resident of Sanganer, District Bhilwara
5. Smt. Khatoon W/o Hameed Shah, resident of Ropan, Tehsil Jahajpur, District Bhilwara

-----Appellants

Versus

1. Hussain Shah S/o Late Shri Nathan Shah Fakeer, aged 70 years, resident of Kotdi, District Bhilwara.
2. Smt. Batool W/o Hussain Shah Fakeer, resident of Kotdi, District Bhilwara.
3. Smt. Salma Bano W/o Haneef Mohd. Mevati, resident of Kotdi, District Bhilwara

-----Respondents

For Appellant(s)	:	Mr. Rakesh Chotia
For Respondent(s)	:	

HON'BLE MR. JUSTICE SANDEEP SHAH

Judgment

26/02/2026

Learned counsel for the appellant submitted that the Civil Original Suit has been decided and therefore nothing survives for adjudication in the present appeal.

By way of present appeal the appellant have laid a challenge to the order dated 22.04.2009 passed by the Additional District



and Sessions Judge No.2, Bhilwara whereby the application filed by the plaintiff/respondent under Order 39 Rule 1 and 2 CPC that was allowed.

Since as per the statement, the civil original suit itself has been decided, nothing survives for adjudication in the present appeal.

Accordingly, the appeal is dismissed as infructuous.

(SANDEEP SHAH),J

32-raoof khan/-