

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

S.B. Civil Writ Petition No. 3997/2026

Chandratan S/o Late Shri Badrinarayan, Aged About 70 Years, R/o Ward No.21, Aadsar Bas, Shridungargarh, District Bikaner At Present A-73, Ishita Towar, Navrangpura, Ahmadabad.

-----Petitioner

Versus

1. Devkishan S/o Late Shri Badrinarayan, R/o Ward No.21, Aadsar Bas, Shridungargarh, District Bikaner.
2. Bhagwati Prasad S/o Late Shri Asharam, R/o Ward No.21, Aadsar Bas, Shridungargarh, District Bikaner.
3. Ramniwas S/o Late Shri Badrinarayan, R/o Ward No.21, Aadsar Bas, Shridungargarh, District Bikaner At Present Rahul Tower, Anandnagar Char Rasta, Satellite, Ahmadabad.
4. Rami Prasad W/o Kaluram, R/o Shridungargarh, District Bikaner.
5. Nandkishore S/o Murlidhar, R/o Shridungargarh, District Bikaner.
6. Harikisan S/o Murlidhar, R/o Shridungargarh, District Bikaner.

-----Respondents

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For Petitioner(s) : Mr. Rajeev Purohit

For Respondent(s) :

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**HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**

**Order**

**23/02/2026**

1. Learned counsel for the petitioner submits that the petitioner has filed a suit seeking partition of immovable property along with a decree of permanent injunction on the basis of family settlement. It is contended that an application under Section 65 of the Indian Evidence Act has been filed by the petitioner, which has

been wrongly rejected by the learned trial court on the ground that the document dated 11.08.2014 referred only to shares, cash transactions, interest and accounts of deposits and expenditures, and did not mention partition of immovable property.

2. Learned counsel has drawn attention of this Court to the documents enclosed with the petition as Annexure-10 and submits that said document clearly reflects that all properties, including immovable properties, were partitioned between the parties and that details of shares and cash transactions were also duly recorded therein.

3. The matter requires consideration.

4. Issue notice to respondent(s), returnable within six weeks.

5. In the meanwhile and till next date of hearing, further proceedings in Civil Original Case No.346/2014 pending before learned Additional District & Session Judge, Sri Dungargarh, District Bikaner shall remain stayed.

6. List after eight weeks.

**(MUKESH RAJPUROHIT),J**