

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

S.B. Civil Writ Petition No. 3998/2026

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

-----Petitioner

Versus

1. Ramniwas S/o Late Shri Badrinarayan, R/o Ward No. 21, Aadsar Bas, Shridungargarh, District Bikaner At Present B-43, Ishita Towar, Navrangpura, Ahmadabad.
2. Manoj Kumar S/o Mohan Lal, R/o Sanskar School, Aadsar Baas, Sridungargarh, District Bikaner.

-----Respondents

For Petitioner(s)	:	Mr. Rajeev Purohit
For Respondent(s)	:	

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-9 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.350/2014 pending before learned Additional District Judge, Sri Dungargarh, District Bikaner shall remain stayed.
6. List after eight weeks along with S.B. Civil Writ Petition No.3997/2026, as prayed.

(MUKESH RAJPUROHIT),J