

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

S.B. Civil Writ Petition No. 4426/2026

1. Bhera Ram S/o Moda Ram, Aged About 70 Years, Address Village Bhada, Tehsil Bapini District Phalodi.
2. Shankar Ram S/o Bhera Ram, Aged About 60 Years, Address Village Bhada, Tehsil Bapini District Phalodi.
3. Budha Ram S/o Bhera Ram, Aged About 40 Years, Address Village Bhada, Tehsil Bapini District Phalodi.
4. Sama Ram S/o Bhera Ram, Aged About 35 Years, Address Village Bhada, Tehsil Bapini District Phalodi.

-----Petitioners

Versus

1. Nag Singh S/o Khiv Singh, R/o Village Bhada, Tehsil Bapini District Phalodi.
2. Swroop Singh S/o Khiv Singh, R/o Village Bhada, Tehsil Bapini District Phalodi.
3. Indra Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
4. Dhapu Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
5. Tara Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
6. Saro Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
7. Udi Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
8. Aku Kanwar D/o Swroop Kanwar, R/o Village Bhada, Tehsil Bapini District Phalodi.
9. Branch Manager, Rmgb, Bank Osian Branch District Jodhpur.
10. State Of Rajasthan, Through Tehsildar Bapini District Phalodi.

-----Respondents

For Petitioner(s) : Mr. Roshan Lal

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

21/04/2026

1. Learned counsel for the petitioner submits that suit for declaration and permanent injunction was filed, in which reference to a document dated 26.04.1967 was made and said document was in the form of an agreement to sale, pursuant to which possession was handed over to petitioner-plaintiff.
2. Learned counsel for the petitioner stated that an application for declaring said document as inadmissible in evidence was filed on the ground that the same is neither properly stamped nor registered, however, learned SDO, Bapini, District Phalodi, dismissed said application on the ground that stated objection would be considered at the time when document is given in evidence.
3. Learned counsel for the petitioner further submits that in a revision petition filed by respondents, learned Board of Revenue, without even considering the aspect of use of such document for collateral purposes, has proceeded to declare said document inadmissible in evidence and ordered to keep said document in D-Part of the file.
4. Learned counsel for the petitioner has placed reliance upon judgment passed in the case of ***Ameer Minhaj vs. Dierdre Elizabeth (Wright) Issar and Ors. reported in 2018 LawSuit (SC) 579.***
5. Matter requires consideration.
6. Issue notice. Issue notice of stay application also, returnable within a period of four weeks.



7. In the meantime, further proceedings in Revenue Suit No. 126/2023, pending before learned Assistant Collector, Bapini, District Phalodi, shall remain stayed.

(SANJEET PUROHIT),J

15-shashikant/-