

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

S.B. Civil Writ Petition No. 4620/2026

1. Bhajan Kaur W/o Shri Major Singh, Aged About 65 Years,
By Caste Bhawari R/o 4 Mld First Teshil Gharsana, District
Sri Ganganagar Rajastjhan
2. Prakash Singh S/o S/o Shri Major Singh, Aged About 37
Years, R/o 4 M.l.d First Tehsil Gharsana District Sri
Ganganagar Rajasthan

----Petitioners

Versus

Major Singh S/o S/o Shri Nanak Ram, Aged About 66 Years, R/o
4 M.l.d -A First Tehsil Gharsana District Sri Ganganagar
Rajasthan

----Respondent

For Petitioner(s) : Mr. D. S. Thind

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Present writ petition has been filed challenging the order dated 02.04.2025 whereby the learned Sub Divisional Officer, Gharsana, Sri Ganganagar, while proceeding ex-parte against the petitioner, has allowed the application of the respondent and directed the petitioners to pay the maintenance to the tune of Rs.7,000/-.
2. Learned counsel for the petitioners submits that as a matter of fact, the service has not been effected to the petitioners and the application under Order IX Rule 13 of CPC has been rejected vide order dated 29.01.2026 passed by learned Sub Divisional Officer, Gharsanana, which is absolutely non-speaking and

unreasoned order and also without considering the grounds for setting aside the ex-parte order.

3. Learned counsel also submits that the petitioners have expressed their willingness to keep the respondent along with them, however, in spite of the directions given during the mediation proceedings, the respondent is not ready to reside with the family.

4. Learned counsel relies upon the report of Tehsildar, wherein it has been recorded that petitioner No.1 herself is a Senior Citizen and having some ailment, whereas the petitioner No.2 is a labourer, having limited source of income to maintain his family and mother.

5. In this view of the matter, where the impugned order has been passed ex-parte and even the application for setting aside the ex-parte order has been rejected, without assigning any reason, this Court deems it appropriate to issue notices to the sole respondent.

6. Issue notice. Issue notice of stay application also, returnable within three weeks.

7. Notices be filed in two sets, out of which one set be given 'dasti' to learned counsel for the petitioners for effecting service through registered post, acknowledgment due.

8. In the meantime, the petitioners shall make payment of monthly maintenance to the tune of Rs.3500/- per month to the respondent.

(SANJEET PUROHIT),J