

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 269/2026

Rainy Filing Station

----Appellant

Versus

Mohan Lal Jain & Ors.

----Respondents

For Appellant(s)	:	Dr. Sachin Acharya, Sr. Advocate assisted by Mr. Chayan Bothra, Mr. Harsh Bishnoi & Ms. Reema Gupta
For Respondent(s)	:	

HON'BLE MS. JUSTICE REKHA BORANA

Order

27/03/2026

1. Learned Senior Counsel appearing for the appellant submits that the learned Trial Court while decreeing the suit, kept it subject to the final decision of interim order dated 02.08.2023 passed in S.B. Civil Writ Petition No.10747/2023. In the said writ petition, interim order dated 02.08.2023 to the effect that the pump shall be permitted to run subject to the final outcome of the writ petition, is already in operation. Meaning thereby, the decree in question is not executable till the final disposal of the said writ petition.
2. Counsel therefore submits that although there is no urgency for any interim order in the present appeal at this stage, the appeal deserves to be admitted as the fate of this appeal would be dependant on the fate of the writ petition.
3. In view of the submission made, Admit. Issue notice.
4. Notices be filed within a period of one week.

5. No interim order is required to be passed at this stage and hence, the stay petition stands **disposed of**, however with a liberty to the appellant to file afresh if occasion so arises.

6. Call for the original record.

(REKHA BORANA),J

4-Arvind/-