

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

S.B. Civil First Appeal No. 238/2026
CNR: RJHC010218882026 | URN: CFA / 657U / 2026

Narapat Singh Tak S/o Kani Ram Ji Tak Mali, Aged About 74 Years, Plot No. 7, Kishore Bagh, Jodhpur Narpat Associates T-2, Main Mandi Campus, Mandore Road, Jodhpur Raj.

----Appellant

Versus

1. Krishi Upaj Mandi Samiti (Anaaj), Through Secretary , Address Mandore Mandi Jodhpur
2. Jagdish Chandra S/o Shri Ram Chandra Maheshwari, First Puliya, Soorsagar, Jodhpur. At Present C/o Jethmal Son Of Tulsi Ramji, Plot No. 87,58 Damodar Colony, Rammohalla Jodhpur Raj.

----Respondents

For Appellant(s)	:	Mr. J. Gehlot
For Respondent(s)	:	Mr. R.S. Mankad

HON'BLE MR. JUSTICE FARJAND ALI

Order

24/07/2026

1. Heard.
2. Admit.
3. Learned counsel Mr. R.S. Mankad puts in appearance on behalf of the respondent No.2. Thus, notice returnable in four weeks be issued to the respondent No.1 only.
4. Since the respondent No.1 has not objected to the allotment of the shop in favour of the appellant-plaintiff and he was not contesting the suit, therefore, he is not required to be heard on the stay application.

5. Heard learned counsel for the appellant and learned counsel for the respondent No.2 on the stay application.

6. Considering that a prima facie case exists in favour of the appellant, it is ordered that in the meanwhile, the suit property shall not be alienated further and no third party rights shall be created thereon.

(FARJAND ALI),J