

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

S.B. Civil Misc. Appeal No. 1131/2026

1. Vidya Pracharini, Through Its Secretary Dr. Mahendra Singh Agariy Aged About 72 Years, Bhupal Noble Sanstha Udaipur Rajasthan
2. Mahendra Singh Agriya, Aged About 72 Years, Secreatary Vidya Pracharini Saba Bhupal Noble Sang Sata Udaipur Rajasthan

----Appellants

Versus

1. Udaipur Development Authority, Through Its Commissioner Udaipur Rajasthan
2. Executive Engineer, Water Rescueous Department City Division Second Gulab Bagh Udaipur Rajasthan
3. State Of Rajasthan, Through PP

----Respondents

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| For Appellant(s)  | : | Ms. Aditi Moad for Mr. Tushar Moad |
| For Respondent(s) | : | -                                  |

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**HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**

**Order**

**12/03/2026**

1. The present appeal has been filed challenging the order dated 11.02.2026 passed by learned Additional District Judge No.3, Udaipur in Case No.31/2026 titled as "*Vidya Pracharini etc. vs. Udaipur Vikas Pradhikaran etc.*", vide which prayer for grant of interim injunction in favour of the appellants was rejected.
2. Learned counsel for the appellants submits that the main application under Order XXXIX Rules 1 and 2 of C.P.C. is still pending adjudication and the rights of the parties have not been finally adjudicated, however, the appellants would be satisfied if a

limited direction is issued to the trial Court to decide the said application expeditiously. It is further prayed that rights of the appellants be protected till adjudication of the application.

3. Be that as it may, without commenting upon the merits of the case, learned trial Court is directed to decide the pending application under Order 39 Rules 1 & 2 CPC as expeditiously as possible, preferably within a period of 30 days from the date of receipt of the order of this Court.

4. Till 30 days, the status quo as it exists today with regard to disputed land/property in question shall be maintained.

5. It is made clear that the learned trial Court should decide the application under Order 39 Rule 1 and 2 strictly in accordance with law, without being influenced by observations made by this Court in the present order.

6. With the aforesaid observations, the appeal stands disposed of.

7. Stay petition and all pending applications, if any, also stand disposed of.

**(MUKESH RAJPUROHIT),J**