

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

S.B. Civil Writ Petition No. 5302/2026

1. Parkash S/o Jeevan Ram, Aged About 65 Years, Resident Of Village, Kanasar Tehsil Bap, District Phalodi.
2. Bhagirath S/o Jeevan Ram, Aged About 52 Years, Resident Of Village, Kanasar Tehsil Bap, District Phalodi.
3. Kilana Ram S/o Jeevan Ram, Aged About 47 Years, Resident Of Village, Kanasar Tehsil Bap, District Phalodi.

-----Petitioners

Versus

1. Lrs Of Harchand Ram, S/o Jodha Ram
 - 1/1. Banshi Lal S/o Harchand Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
 - 1/2. Sujana Ram S/o Harchand Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
 - 1/3. Bhanwar Lal S/o Harchand Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
 - 1/4. Meera W/o Harchand Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
2. Dhokal Ram S/o Jodha Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
3. Bhajna Ram S/o Jodha Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
4. Deepak Kumar S/o Sohan Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
5. Rameshwar S/o Sohan Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
6. Bhanwari Devi W/o Sohan Ram, R/o Village Hanuman Nagar, Tehsil And District Phalodi.
7. Keval Ram S/o Ramkishan, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
8. Babu Ram S/o Ramkishan, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
9. Jivani W/o Birda Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
10. Bhanwar Lal S/o Birda Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.

11. Multanram S/o Birda Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
12. Rampyari D/o Boirda Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
13. Papu W/o Sartaj, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
14. Bagdawatram S/o Choka Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
15. Mohanram S/o Balwanram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
16. Shankar Lal S/o Balwanram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
17. Hari Ram S/o Balwanta Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
18. Shanti W/o Hajari Ram, R/o Hanumannagar (Bhojasar) Tehsil Phalodi.
19. Bagdawatram S/o Bhoraj, R/o Raneri, Tehsil Bap.
20. Surta Ram S/o Gordhanram, R/o Modkiya Tehsil Bap.
21. State Of Rajasthan, Through Tehsildar Bap, District Phalodi.

----Respondents

For Petitioner(s)	:	Mr. Aidan Choudhary
For Respondent(s)	:	Mr. Ajay Kumar Vyas Mr. Jatin Sankhla

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

29/04/2026

1. The present writ petition has been filed challenging the order dated 05.02.2026 passed by learned Revenue Appellate Authority, Jodhpur (hereinafter referred to as the 'Appellate Authority') whereby the learned Appellate Authority has refused to grant ad interim relief in favour of the petitioners in an appeal being filed

challenging the order dated 07.01.2026 passed by the Court of Assistant Collector, Baap, District Phalodi (hereinafter referred to as the 'trial Court') rejecting the application of the plaintiffs-petitioners filed under Section 212 of the Rajasthan Tenancy Act, 1995.

2. Learned counsel for the petitioners submits that once statutory appeal has been accepted and notices were issued, learned Appellate Authority ought to have granted ad interim relief in favour of the petitioners, otherwise the purpose of filing statutory appeal would be frustrated.

3. This Court finds that learned trial Court has passed a detailed order on 07.01.2026 and has observed that plaintiffs have failed to establish the issue of prima facie, balance of convenience and irreparable loss and based on said observation rejected the application filed under Section 212 of the Rajasthan Tenancy Act, 1995.

4. A perusal of the order dated 05.02.2026 also shows that as a matter of fact the prayer for ad interim relief has not been rejected as such, however, it is stated that the same shall be considered after receiving the record of the learned trial Court.

5. This Court is of the considered opinion that since the prayer for ad interim relief/interim relief is still pending consideration before the learned Appellate Authority, no observation upon the merit of the case shall be made by this Court, therefore, the present writ petition deserves to be disposed of with a direction to the learned Revenue Appellate Authority, Jodhpur to decide the prayer of the petitioners for grant of ad interim relief/interim relief

in a time bound manner in a pending Appeal No.40/2026, as it will subserve the ends of justice

6. Learned counsel for the parties have also consented for the same.

7. In view of the submissions made at bar and in view of the observations made above, the present writ petition is disposed of with a direction to the learned Revenue Appellate Authority, Jodhpur to consider and decide the prayer of the petitioners for grant of ad interim relief/interim relief as expeditiously as possible, preferably within a period of 45 days from the date of receipt of a certified copy of this order. The same shall be done without granting any unnecessary adjournments to either of the parties.

8. It is made clear that this order shall not be construed as directing learned Revenue Appellate Authority to consider and decide the prayer of the petitioners for ad interim/interim relief of the petitioners in any particular manner, but only in accordance with law.

9. Accordingly, the writ petition is **disposed of**.

10. Stay application and all pending application(s) are also **disposed of**.

(SANJEET PUROHIT),J