

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

S.B. Civil Writ Petition No. 5904/2026

Smt. Reena W/o Late Shri Sunil Todawat, Aged About 49 Years,  
Resident Of House No. 420, Babelo Ki Sehari, Rawji Ka Hata,  
Udaipur Through Power Of Attorney Holder Narendra Singh S/o  
Shri Shanti Singh Chouhan, Aged About 51 Years, Resident Of  
Solankiyon Ki Ghati, Udaipur.

-----Petitioner

Versus

1. Mukesh S/o Shri Chatar Lal Mantri, Resident Of 744,  
Hiran Magri, Sector No. 11, Udaipur.
2. Lokesh S/o Shri Chatar Lal Mantri, Resident Of 744, Hiran  
Magri, Sector No. 11, Udaipur.
3. Sanjay S/o Shri Chatar Lal Mantri, Resident Of 744, Hiran  
Magri, Sector No. 11, Udaipur.
4. Deepak Mandowra S/o Shri Fateh Lal, Resident Of 2-Ja-1,  
Gayatri Nagar, Hiran Magri Sector No. 5, Udaipur
5. Rajesh Agarwal S/o Shri Prakash Chandra, Resident Of  
29, Agrasen Nagar, Udaipur.
6. Rajasthan Housing Board, Udaipur.

-----Respondents

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For Petitioner(s) : Mr. Narendra Thanvi  
Mr. Mahendra Thanvi

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

**Order**

**23/03/2026**

It is contended by learned counsel for the petitioner that the petitioner had instituted a suit for permanent and mandatory injunction. During the pendency of the application filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, the learned Trial Court, vide order dated 15.01.2016, granted an

ad interim order directing the parties to maintain status quo with respect to the property in question.

However, while subsequently rejecting the said application, the learned Trial Court returned findings to the effect that the petitioner has not produced documentary evidence concerning the property in question to prove her possession, which itself forms the subject matter of the suit.

Learned counsel further submits that the learned Appellate Court has failed to consider that the reliefs sought by the petitioner in the plaint are required to be adjudicated upon only after appreciation of evidence and determination of disputed questions of fact.

The matter requires consideration.

Issue notice to the respondents, returnable within a period of six weeks.

In the meanwhile and till next date, the respondents are restrained from creating any third-party right with respect to the property in question.

**(MUKESH RAJPUROHIT),J**