

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

S.B. Civil Writ Petition No. 5411/2023

Sushila W/o Shri Narendra Kumar Solanki Mali, Aged About 53 Years, R/o Bera Kamera Bag, Sojat City, Tehsil Sojat, District Pali, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary To The Government, Local Self Department, Secretariat, Jaipur.
2. Nagar Palika Sojat, Through Executive Officer, Nagar Palika Sojat City, District Pali, Rajasthan.
3. The Chairman, Nagar Palika Sojat City, District Pali, Rajasthan.
4. Bal Kishan Solanki S/o Shri Madan Lal Solanki Mali, R/o Kamera Bag, Sojat City, Tehsil Sojat, District Pali, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Vineet R. Dave
For Respondent(s)	:	Mr. Kuldeep Prajapat for Mr. Rajesh Parihar

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/02/2026

1. The present writ petition has been filed challenging the order dated 10.03.2023 passed by learned Civil Judge, Sojat in Case No.18/2023 titled as "*Sushila vs. Nagar Palika, Sojat & Ors.*", vide which prayer for grant of interim injunction in favour of the petitioner was rejected.
2. Learned counsel for the petitioner 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 petitioner 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 petitioner 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 writ petition stands disposed of.

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

(MUKESH RAJPUROHIT),J