

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

S.B. Civil Writ Petition No. 5972/2026

1. Jalu Ram S/o Jaisa Ram, Aged About 60 Years, Resident Of Near Old Chungi Chauki, Gajner Road, Bikaner (Raj)
2. Santosh W/o Jalu Ram, Aged About 57 Years, Resident Of Near Old Chungi Chauki, Gajner Road, Bikaner (Raj)

-----Petitioners

Versus

1. Bikaner Development Authority, Bikaner Through Its Secretary, Bikaner Development Authority, Bikaner (Raj)
2. State Of Rajasthan, Through District Collector, Bikaner (Raj)

-----Respondents

For Petitioner(s) : Mr. Tirupati Chandra
Mr. Abhishek Aggarwal

For Respondent(s) :

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/03/2026

1. The present writ petition has been filed challenging the order dated 07.08.2025 passed by learned Additional Civil Judge No.3, Bikaner in Civil Misc. Case No.165/2025, vide which prayer for grant of interim temporary injunction in favour of the petitioners was rejected.
2. Learned counsel for the petitioners 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 petitioners 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 parties are directed to maintain status quo as it exists today, with regard to the property / land in dispute.

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 in the order dated 07.08.2025.

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

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

(MUKESH RAJPUROHIT),J