

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

S.B. Civil Writ Petition No. 6107/2026

Smt. Sushila Devi W/o Manoharlal, Aged About 65 Years,
Resident Of Village Khariya Mithapur, Tehsil Bilara, District
Jodhpur At Present Opp. Mahamandir Railway Station, Jodhpur
Raj.

----Petitioner

Versus

1. Hanuman Singh Khangta S/o Dhan Singh, Resident Of
Khangta Bhawan, Near R.t.o. Office, B.j.s. Jodhpur Raj.
2. Bhanwar Singh S/o Jai Singh, Resident Of Village Jhala
Maliya, Tehsil Bhopalgarh, District Jodhpur At Present
Resident At Khasra No.33, Village Nandari, Banar Road,
Jodhpur Raj.

----Respondents

For Petitioner(s) : Mr. Arpit Bhoot.

For Respondent(s) :

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/03/2026

1. Learned counsel for the petitioner submits that during the pendency of the suit, an application preferred by the petitioner under Order 6 Rule 17 CPC for amendment of the plaint came to be allowed by the learned Trial Court, whereby the plaint with a relief was amended.

2. It is further submitted that thereafter the petitioner preferred an application under Order 14 Rule 5 read with Section 151 CPC, seeking framing of an issue with respect to possession in terms of the amended plaint, as no issue pertaining to possession had been

framed, however, the said application has been rejected by the learned Trial Court.

3. Learned counsel also submitted that once the amendment in the plaint has been allowed, the issues are required to be suitably modified/reframe in accordance with the amended pleadings.

4. The matter requires consideration.

5. Issue notice, returnable within three weeks. 'Dasti' as well.

6. In the meanwhile and till next date of hearing, further proceedings in Civil Suit No.608/2015 pending before the learned Additional Civil Judge-cum-Judicial Magistrate No.6, Jodhpur Metro shall remain stayed.

(MUKESH RAJPUROHIT),J