

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

S.B. Civil Writ Petition No. 6138/2026

1. Tejaram S/o Late Megharam, Aged About 48 Years, R/o Bodwa, Tehsil Jayal, District Nagaur.
2. Jhabudi W/o Late Megharam, Aged About 76 Years, R/o Bodwa, Tehsil Jayal, District Nagaur.
3. Dharmaram S/o Tejaram, Aged About 26 Years, R/o Bodwa, Tehsil Jayal, District Nagaur.
4. Manish S/o Tejaram, Aged About 20 Years, R/o Bodwa, Tehsil Jayal, District Nagaur.

----Petitioners

Versus

Narendra Jalwaniya S/o Kishna Ram, R/o Bodwa Tehsil Jayal, District Nagaur, Through The Power Of Attorney Holder Kishnaram S/o Ramniwas R/o Kishna Ram, R/o Bodwa Tehsil Jayal, District Nagaur.

----Respondent

For Petitioner(s)	:	Mr. Jitendra Mohan Choudhary
For Respondent(s)	:	

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

25/03/2026

1. Learned counsel for the petitioner submits that pursuant to the agreement between the parties, a decree was passed restraining both sides from raising any construction on the marked disputed land; however, the petitioner has not carried out any temporary or permanent construction on the said portion and is merely raising construction over the old foundation of his house situated within his legally allotted (patta) and, yet the learned executing court has erroneously directed removal of the alleged encroachment, contrary to the terms of the decree and material

on record. It is further contended that the execution proceedings have been initiated after an inordinate delay of 15 years from the date of the decree, which is barred by limitation and thus not maintainable in the eyes of law.

2. The matter requires consideration.
3. Issue notice to respondent(s), returnable within six weeks.
4. In the meanwhile and till the next date of hearing, further proceedings in Execution Case No.01/2025 pending before the learned Civil Judge, Jayal, District Nagaur, shall remain stayed.
5. List after eight weeks.

(MUKESH RAJPUROHIT),J

76-mSingh/-