

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

S.B. Civil Writ Petition No. 6585/2026

Rajendra Singh Panwar S/o Sita Ram Ji Panwar, Aged About 54 Years, Address Asuji Ki Pyau, Nayapura, Lalsagar, At Present Gali No. 2, Behind Bhati Khem Singh Market, Nayapura, Jodhpur (Raj.).

-----Petitioner

Versus

1. Kishore Singh S/o Late Shri Gobar Ji @ Gordhan Ji Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur.
2. Smt. Champa W/o Late Sher Singh Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur.
3. Om Prakash S/o Late Sher Singh Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur.(Raj.)
4. Jethu Singh S/o Late Sher Singh Bhati, Address Gaushala, Baori, District Jodhpur (Raj.).
5. Arun Singh S/o Late Sher Singh Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur.(Raj.)
6. Pritam Singh, Resident Of Chainpura Baori, Mandore, Jodhpur.(Raj.)
7. Karmendra Singh S/o Late Pushpa D/o Late Sher Singh Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur. (Raj.)
8. Naveen S/o Late Pushpa D/o Late Sher Singh Bhati, Resident Of Chainpura Baori, Mandore, Jodhpur.(Raj.)
9. Smt. Durga D/o Late Pushpa D/o Late Sher Singh Bhati, W/o Narendra Singh S/o Chanwar Lal Ji Chouhan Address Hanslav Ki Pal, Mandore, Jodhpur (Raj.)
10. Smt. Indua D/o Late Pushpa D/o Sher Singh Bhati, W/o Virendra Singh Gehlot, Address Mandavta, Mandore, Jodhpur (Raj.)
11. Smt. Indra D/o Late Sher Singh Bhati, W/o Ganpat Singh Chouhan, Address Opp. Punjla School, Kamla Nagar, Punjla, Jodhpur (Raj.)
12. Smt. Manju D/o Late Sher Singh Bhati, W/o Nemi Chand Ji, Resident Of Navoda Bera, Mata Ka Than, Jodhpur (Raj.)

-----Respondents

For Petitioner(s) : Mr. J. Gehlot

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

It is contended by learned counsel for the petitioner that a suit for permanent and mandatory injunction was filed by the respondent No.1 and the petitioner – defendant filed a reply

alongwith the counter claim on 29.05.2018, after almost 5 years. Thereafter, the application under Order 8 Rule 9 CPC was preferred by the respondent – plaintiff No.1 on 11.03.2025 for taking permission to file a rejoinder to reply as well as the counter claim filed by the petitioner – defendant and the same was allowed.

Learned counsel for the petitioner further submits that alongwith this application neither rejoinder nor any affidavit was filed in respect to explain the inordinate delay of 7 years.

The matter requires consideration.

Issue notice to respondent No.1, returnable within a period of four weeks.

Service of notice upon respondent Nos.2 to 12 (proforma respondents) be dispensed with at the risk and cost of the petitioner.

In the meanwhile and till next date, further proceedings in Civil Original Suit No.304/2013 titled as "Kishore Singh Vs. Lrs of Sher Singh" pending before Additional Civil Judge No.2, Jodhpur Metro shall remain stayed.

(MUKESH RAJPUROHIT),J