

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

S.B. Civil Writ Petition No. 6888/2026

Dinesh Jain S/o Shankar Lal Ji Jain, Aged About 40 Years, R/o Bhudan, Tehsil And District Rajsamand (Raj.).

-----Petitioner

Versus

1. Laxmi Bewa W/o Sohan Singh Rajput
2. Jeevansingh S/o Sohansingh Rajput,
3. Mangalsingh S/o Sohansingh Rajput,
4. Devendrasingh S/o Sohansingh Rajput,
All are R/o Bhudan, Tehsil And District Rajsamand, At Present Residing At Shiv Building, Plot No. 201, 202 Vijay Nagar, Marol Marosi Road, Andheri (East), Mumbai (Maharashtra).
5. Pushpa W/o Bhop Singh (D/o Late Sohansingh Rajput), R/o Bhudan, At Present Residing At Dabkudiya Post Koyal Via Kelwada, Tehsil Kumbhalgarh, District Rajsamand (Raj.).
6. Kamla W/o Mangalsingh (D/o Late Sohansingh Rajput), R/o Bhudan, At Present Residing At Gopalpura Via Amet, Tehsil Amet, District Rajsamand (Raj.).

-----Respondents

For Petitioner(s)	:	Mr. Avin Chhangani
For Respondent(s)	:	-

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

28/03/2026

1. It is contended by learned counsel for the petitioner that a suit for recovery was filed against the respondents-defendants and in reply to the suit, the respondents-defendants have made specific averment in para No.3 of the reply in respect to certain amount, which was taken by the petitioner from the respondent-

defendants. After receiving such specific amount, the petitioner preferred an application under Order VIII Rule 9 of CPC to submit a rejoinder to the same but the same was rejected by the impugned order.

2. Learned counsel for the petitioner argued that specific averment made by the respondents-defendants is required to be rebutted by the petitioner.

3. The matter requires consideration.

4. Issue notice. Issue notice of stay application also, returnable within a period of six weeks.

5. In the meanwhile and till next date, further proceedings in Civil Suit No.42/2025 pending before the learned District Judge, District Rajsamand shall remain stayed.

(MUKESH RAJPUROHIT),J