

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

S.B. Civil Writ Petition No. 6916/2026

Mohmmad Umar S/o Faij Mohammad, Aged About 68 Years, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.

-----Petitioner

Versus

1. Haji Manwar Ali Alias Manu Kha S/o Nabe Kha, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
2. Smt. Roshan W/o Haji Manwar Ali @ Manu Kha, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
3. Muneer Ali S/o Haji Manwar Ali @ Manu Kha, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
4. Anu S/o Haji Manwar Ali @ Manu Kha, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
5. Aarifa W/o Mohammad Sadik, R/o Gandhi Chowk, Ginani, Nagaor.
6. Moinudeen S/o Faij Mohammad, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
7. Mushtak S/o Faij Mohammad, R/o Mahawato Ka Mohalla, Joshiwada, Bikaner.
8. Khairu W/o Habib, R/o Pratap Basti, Bikaner.

-----Respondents

For Petitioner(s)	:	Mr. Kailash Khatri
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 permanent injunction was filed by the petitioner-plaintiff and during pendency of the suit proceedings, an application under Order VII rule 14 read with Section 151 CPC was filed by the petitioner, which was allowed by the learned trial Court vide order

dated 13.02.2026 and certain photographs/pendrive about altercation in the suit property were taken on record. Thereafter, the petitioner preferred an application under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, seeking amendment of the pleadings in the suit with respect to the alterations in the suit property as depicted in the photographs/pen drive already taken on record. It was submitted that, since the learned Trial Court had permitted the photographs/pen drive to be taken on record, the petitioner ought to be granted leave to amend the pleadings in the suit accordingly. However, the learned trial Court, without considering these facts, rejected the application preferred by the petitioner.

2. The matter requires consideration.
3. Issue notice to respondent Nos.1 to 5. Issue notice of stay application also, returnable within a period of six weeks.
4. In the meanwhile and till next date, further proceedings in Civil Suit No.1738/2014 pending before the learned Additional Civil Judge No.3, Bikaner shall remain stayed.

(MUKESH RAJPUROHIT),J