

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

S.B. Civil Revision Petition No. 131/2026

Prem Singh S/o Shri Labu Ram Ji, Aged About 85 Years, R/o Jodhpur Kanawanton Ka Bas Village Gewa Soorsangar Tehsil And District Jodhpur Metro

-----Petitioner

Versus

1. Hajari Singh S/o Late Shri Dhanna Ram, R/o Jodhpur Amarliya Bera Purani Bhakhari Bas Soorsagar Tehsil And District Jodhpur Metro
2. Tehsildar Jodhpur, Office Tehsil Jodhpur District Jodhpur Metro
3. State Of Rajasthan, Through District Collector Jodhpur Metro

-----Respondents

For Petitioner(s) : Mr. Karan Joshi

HON'BLE MS. JUSTICE REKHA BORANA

Order

21/04/2026

1. Counsel for the petitioner submits that the learned Trial Court erroneously rejected application under Order 7 Rule 11, CPC as filed on behalf of defendant No.1, whereas it was evident on record that a suit qua the same road/way in question had earlier been filed by the father of the present plaintiff before the Revenue Court which stood dismissed vide order dated 18.02.2019.
2. The present suit qua the same road/way in question was clearly barred by law and further, no fresh cause of action accrued to the plaintiff.
3. Further, the suit in question was barred by limitation too.

4. In view of the submissions made, Issue notice. Issue notice of stay application also.
5. Notices be filed in two sets within a period of one week. On the same being filed, one set be given '*dasti*' to learned counsel for the petitioner for service through registered post acknowledgment due.
6. Postal receipts of the '*dasti*' notices be filed within a period of one week from the date of receipt of '*dasti*' notices.
7. Notices be made returnable within a period of six weeks.
8. Meanwhile, further proceedings (in suit No.345/2019) pending before Additional Civil Judge No.6, Jodhpur Metropolitan shall remain stayed.

(REKHA BORANA),J