

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

S.B. Civil Writ Petition No. 8690/2026
CNR: RJHC010383462026 | URN: CW / 15933U / 2026

Rekha D/o Shri Rameshchandra, Aged About 48 Years, Resident
Of Manupura, Tehsil And District Pratapgarh (Raj.).

-----Petitioner

Versus

1. Nandlal S/o Shri Phoolchand, Resident Of Manupura,
Tehsil And District Pratapgarh (Raj.).
2. Gopal S/o Shri Rameshchandra, Resident Of Manupura,
Tehsil And District Pratapgarh (Raj.).
3. Chanda D/o Shri Rameshchandra, Resident Of Manupura,
Tehsil And District Pratapgarh (Raj.).
4. Basantlal S/o Shri Rameshchandra, Resident Of
Manupura, Tehsil And District Pratapgarh (Raj.).
5. Satyanarayan S/o Shri Rameshchandra, Resident Of
Manupura, Tehsil And District Pratapgarh (Raj.).
6. Kanta W/o Gopal, Resident Of Manupura, Tehsil And
District Pratapgarh (Raj.).
7. Anita Kumari W/o Basantlal, Resident Of Manupura,
Tehsil And District Pratapgarh (Raj.).

-----Respondents

For Petitioner(s) : Mr. Hemant Kumar Jain
Ms. Kusha Sharma

For Respondent(s) : -

HON'BLE MR. JUSTICE FARJAND ALI

Order

06/08/2026

1. Heard learned counsel for the parties and gone through
impugned order so also other material including the judgment and
decree dated 30.01.2015. Learned counsel for the petitioner
submits that a cheque of Rs.90,000/- was never given or tendered

to either the defendant or his legal representatives. As per the claim, the petitioner was in possession of the suit property and there was no recitation of handing over the possession to the plaintiff and further the fact that after death of the judgment debtor Ramesh, the land mutated in the name of the petitioner, who later sold the property to Smt. Sunita and whereafter she further sold the property to Ankita and Kanta. Some complexity have arrived in the case, thus matter requires consideration.

2. Issue notice.
3. List the matter after four weeks.
4. In the meantime, further execution proceeding in Civil Execution Case No.16/2015 passed by learned Senior Civil Judge, Pratapgarh vide order dated 05.03.2026 shall remain stayed.

(FARJAND ALI),J