

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

S.B. Civil Writ Petition No. 9650/2026

1. Kishna Ram S/o Kana Ram Alias Kaniya, Aged About 50 Years, Resident Of Village, Sangra Ramdev Nagar, Tehsil Shergarh, District Jodhpur.
2. Bhoma Ram S/o Kana Ram Alias Kaniya, Aged About 60 Years, Resident Of Village, Sangra Ramdev Nagar, Tehsil Shergarh, District Jodhpur.

----Petitioners

Versus

1. State Of Rajasthan, Through Tehsildar Shergarh District Jodhpur.
2. Jagdish Shankhla S/o Laxmi Chand Shankhla, R/o Sankhla Niwas, K-72, Pratap Nagar, Jodhpur.

----Respondents

For Petitioner(s) : Mr. Roshan Lal

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

08/05/2026

1. Learned counsel for petitioners submits that suit for declaration was filed in the year 2014 and since then, *ad-interim* order has been operating in favour of petitioners. However, learned Trial Court, vide order dated 06.04.2026, dismissed petitioners' application filed under Section 212 of the Rajasthan Tenancy Act without considering and deciding the essential aspects of prima facie case, balance of convenience, and irreparable injury.
2. Learned counsel for petitioners submits that order passed by learned SDO is wholly unjustified, as application has been dismissed in a cursory manner. It is further contended that,

challenging said order dated 06.04.2026, appeal was filed before learned Revenue Appellate Authority; however, said authority has also refused to grant ad-interim relief in favour of petitioners, despite the fact that ad-interim order had been operating in their favour up until passing of order 06.04.2026.

3. Since appeal preferred by petitioners is still pending consideration before learned Revenue Appellate Authority, this Court does not deem it appropriate to make any observation regarding validity of order dated 06.04.2026. However, looking to peculiar facts and circumstances of present case, present writ petition is **disposed of** with direction to learned Revenue Appellate Authority to decide pending stay application filed along with Appeal No. 112/2026 expeditiously, preferably within a period of three months from the date of receipt of certified copy of this order and strictly in accordance with law.

4. In the meantime, till disposal of stay application filed along with appeal is decided, parties to litigation are directed to maintain status quo.

5. It is expected that the learned Revenue Appellate Authority shall decide stay application/appeal independently and without being influenced by any observations made in this order, as only ad-interim relief has been granted by this Court.

6. Stay application and all pending applications, if any, are also **disposed of**.

(SANJEET PUROHIT),J