

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

S.B. Civil Writ Petition No. 13881/2026

CNR: RJHC010634242026

URN: CW / 25288U / 2026

Ratanlal S/o Shri Mohanlal, Aged About 64 Years, Resident Of
Modikhurd, Tehsil Parbatsar, District Deedwana - Kuchaman.

----Petitioner

Versus

1. Ravikant Kabra S/o Shri Hariprasad Kabra, Resident Of
Village Modikhurd, Tehsil Parbatsar, District Deedwana -
Kuchaman.
2. Kamla W/o Shri Gulabchand, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
3. Bhanwari Devi D/o Shri Gulabchand, Resident Of
Modikhurd Tehsil Parbatsar, District Deedwana -
Kuchaman.
4. Manju Devi D/o Shri Gulabchand, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
5. Sunder Devi D/o Shri Gulabchand, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
6. Shobha Devi D/o Shri Gulabchand, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
7. Bidami Devi W/o Shri Nandlal, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
8. Omprakash S/o Shri Nandlal, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
9. Santosh Devi D/o Shri Nandlal, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
10. Sushila Devi D/o Shri Nandlal, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
11. Sannu Devi D/o Shri Nandlal, Resident Of Modikhurd
Tehsil Parbatsar, District Deedwana - Kuchaman.
12. Madangopal S/o Shri Hanumanprasad, Resident Of
Modikhurd Tehsil Parbatsar, District Deedwana -
Kuchaman.
13. State Of Rajasthan, Through Tehsildar Parbatsar, District
Nagaur.

14. State Of Rajasthan, Through Naib Tehsildar Bhakari District Deedwana- Kuchaman.
15. Patwar Halka Taparwada, District Deedwana-Kuchaman.
16. Bansilal S/o Shri Mohanlal, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.
17. Rajendra Prasad S/o Mohanlal, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.
18. Rajendra Prasad S/o Mohanlal, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.
19. Nemichanch S/o Gulabchand, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.
20. Phoolchand S/o Shri Javarilal, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.
21. Tarachand S/o Shri Javrilal, Resident Of Modikhurd Tehsil Parbatsar, District Deedwana - Kuchaman.

-----Respondents

For Petitioner(s)	:	Mr. Vishal Sharma.
For Respondent(s)	:	

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

08/07/2026

1. It is contended by learned counsel for the petitioner that the petitioner has preferred a suit for declaration, correction of revenue record partition and permanent injunction. In the said suit, respondent No.1 has moved an application under Order I Rule 10 CPC on 19.11.2025 and the same is pending consideration. Respondent No.1 has thereafter preferred an appeal before the Revenue Appellate Authority (RAA) challenging the ad-interim order dated 10.09.2024. The learned RAA, vide order dated 05.03.2026, decided the appeal and directed the SDO to

decide the application for temporary injunction within a period of 30 days.

2. Against the said order, respondent No.1 has moved a transfer application under Section 233 of the Rajasthan Tenancy Act before the learned Board of Revenue, seeking transfer of the suit as well as application for temporary injunction to some other Revenue Court while making certain allegations.

3. Learned counsel for the petitioner submits that since the application preferred by respondent No.1 under Order I Rule 10 CPC is still pending consideration, respondent No.1 has not yet been impleaded as a party to the proceedings and, therefore, has no locus to maintain the said transfer application under Section 233 of the Rajasthan Tenancy Act.

4. It is further submitted that the Board of Revenue, without considering this aspect, has stayed the entire proceedings of the suit as well as T.I. application vide order dated 17.03.2026 without issuance of notice or affording an opportunity of hearing to the petitioner.

5. Matter requires consideration.

6. Issue notice to respondent No.1 only, returnable within a period of six weeks.

7. In the meanwhile and till next date, the effect and operation of the order dated 17.03.2026 (Annex.9) passed by the learned Board of Revenue, Ajmer, in Case No.2844/2026 shall remain stayed.

(MUKESH RAJPUROHIT),J