

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

S.B. Civil Writ Petition No. 14465/2026

CNR: RJHC010666562026

URN: CW / 26400U / 2026

1. Smt. Indra Devi Bansal W/o Late Shri Prem Prakash Bansal, Aged About 59 Years, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.
2. Jay Ram, Aged About 32 Years, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.
3. Manoj S/o Shri Prem Prakash Bansal, Aged About 31 Years, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.
4. Chirag S/o Shri Prem Prakash Bansal, Aged About 29 Years, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.

----Petitioners

Versus

1. Chhagan Lal S/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
2. Sawai Lal S/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
3. Kishan Lal S/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
4. Ashok Kumar S/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
5. Ganesh Kumar S/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
6. Smt Teejo Devi W/o Late Shri Photu Ram, Resident Of Near Pipaji Temple, Barmer Tehsil And District Barmer Raj.
7. Dilip Kumar S/o Shri Nand Lal, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.
8. Nand Lal S/o Shri Kanhaiya Lal, Resident Of Ward No 23, Agarwalon Ka Mohalla Barmer Raj.

----Respondents

For Petitioner(s) : Mr. Sanjay Nahar
For Respondent(s) : Mr. Suresh Shrimali
Mr. Rishabh Shrimali

HON'BLE MR. JUSTICE FARJAND ALI

Order

17/07/2026

1. The instant writ petition under Articles 226 and 227 of the Constitution of India has been instituted by the petitioner laying challenge to the order dated 04.07.2026 passed by the learned Rent Tribunal, Barmer in Rent Case No. 47/2014, whereby the application preferred by the petitioner under Section 21 of the Rajasthan Rent Control Act, 2001 read with Order XIV of the Code of Civil Procedure seeking framing of issues/points for determination in the rent petition has been rejected.

2. Heard learned counsel for the parties.

3. Shorn of unnecessary details, the facts, in brief, are that the petitioner is a tenant in an eviction petition which has remained pending before the learned Rent Tribunal since the year 2013. The pleadings stand completed, the parties have led their respective evidence and have also placed their written submissions on record. The matter has now reached the stage of final oral arguments.

2.1 At this stage of the proceedings, the petitioner preferred an application under Order XIV of the Code of Civil Procedure, praying for framing of issues. The learned Rent Tribunal, by the impugned order, rejected the said application while observing that

there is no statutory requirement for framing of formal issues in proceedings under the Rajasthan Rent Control Act and that the matter had already reached the stage of final disposal. Aggrieved thereby, the present writ petition has been instituted.

3. The Court has bestowed its thoughtful consideration to the rival submissions advanced at the Bar and has carefully perused the material available on record, including the impugned order, this Court finds that the eviction proceedings have remained pending for more than a decade. The stage of evidence has long since concluded and even the written submissions of both sides have already been filed. The matter is now at the fag end of the trial, where only the oral submissions remain to be addressed before the learned Tribunal.

3.1 In such circumstances, this Court is of the considered opinion that no jurisdictional error or perversity can be attributed to the impugned order warranting interference in exercise of the extraordinary supervisory jurisdiction of this Court under Article 227 of the Constitution of India. Entertaining such an application at this belated stage would only have the effect of delaying the culmination of proceedings which have already consumed considerable judicial time.

4. Accordingly, the present writ petition stands disposed of with the following observations:-

(a) The impugned order passed by the learned Rent Tribunal does not suffer from any legal infirmity so as to warrant interference by this Court. The rejection of the petitioner's application seeking framing of issues calls for no indulgence.

(b) It is, however, expected that while finally deciding the eviction petition, the learned Tribunal shall objectively consider the written submissions as well as the oral arguments advanced on behalf of the respective parties and shall deal with all the material contentions raised before it.

(c) Although there is no requirement of framing formal issues in the present proceedings, the learned Tribunal, while pronouncing the final judgment, shall succinctly record the foundational facts giving rise to the */is*, formulate the points for determination arising from the pleadings and the rival contentions of the parties, objectively appreciate the oral as well as documentary evidence available on record and thereafter render a reasoned judgment strictly in accordance with law.

5. Pending application(s), if any, shall also stand disposed of.

(FARJAND ALI),J