

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 17242/2021

Sanwataram S/o Shivilal Ji, Aged About 52 Years, R/o Dobdi Khurd, Tehsil Makrana, District Nagaur, Rajasthan.

-----Petitioner

Versus

1. Lrs Of Jetharam, S/o Rugaram.
2. Harinarain @ Fusaram S/o Jetharam, By Caste Jat, R/o Dobdi Khurd, Tehsil Makrana, District Nagaur, Rajasthan.
3. Hanuman S/o Jetharam, By Caste Jat, R/o Dobdi Khurd, Tehsil Makrana, District Nagaur, Rajasthan.
4. Bhiyaram S/o Jetharam, By Caste Jat, R/o Dobdi Khurd, Tehsil Makrana, District Nagaur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Murli Sain for
Mr. Rajesh Panwar

JUSTICE DINESH MEHTA

Order

14/12/2021

1. Issue notice.
2. Issue notice of stay application also, returnable within a period of six weeks.
3. Notice, when issued, be given 'dasti' to learned counsel for the petitioner.
4. Learned counsel for the petitioner informs that petitioner has already filed affidavits of his witnesses.
5. In the facts of the present case, it is deemed appropriate and hence ordered that if on the next date of hearing which is reported to be 23.12.2021, the petitioner keeps all his witnesses ready (whose affidavits have been filed) before the trial Court, they shall

be examined/cross-examined, however, subject to payment of cost of Rs.15,000/-.

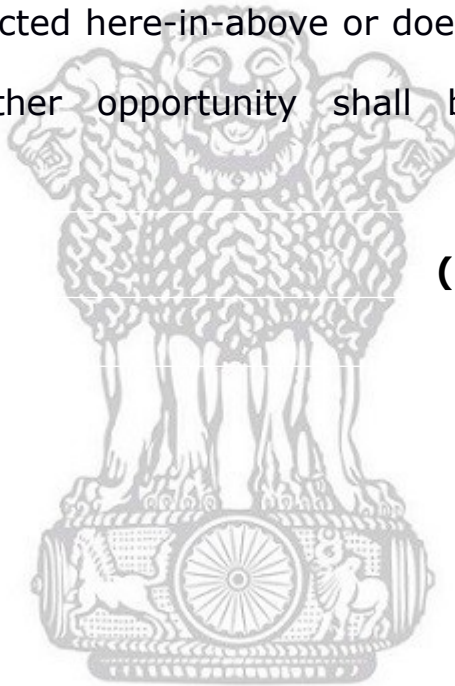
6. In case the cost is not accepted by the respondents/learned counsel for the respondents and they want to contest the present writ petition, further proceedings in Civil Original Case No.64/2009 shall remain stayed.

7. In case the affidavits have not been filed, the petitioner shall file the affidavits of his witnesses on the next date of hearing, while giving copies of such affidavits at least three days in advance to the opposite counsel.

8. It is further made clear that in case the petitioner does not pay the cost as directed here-in-above or does not produce all the witnesses, no further opportunity shall be granted to the petitioner.

(DINESH MEHTA),J

40-A.Arora/-



सत्यमेव जयते