

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

S.B. Civil First Appeal No. 502/2022

1. State Of Rajasthan, Secretary Finance Department
Government Of Rajasthan Jaipur
2. Inspector General Registration And Stamps, Inspector
General Registration And Stamps Department Govt Of
Rajasthan Ajmer
3. Sub Registrar Registration And Stamps, Sub Registrar
Registration And Stamps Department Santhore District
Jalore

----Appellants

Versus

1. Kumbha Ram S/o Bhagwana Ram, By Caste Meghwal Ro
Hemguda
2. Asu Ram S/o Rawat Ram, By Caste Meghwal Santhore

----Respondents

For Appellant(s) : Mr. Sandeep Shah, AAG assisted by
Mr. Abhimanyu Singh

HON'BLE MS. JUSTICE REKHA BORANA

Order

03/07/2023

1. This first appeal has been preferred by the State of Rajasthan against the judgment and decree dated 18.12.2014, whereby the suit filed by the appellants-plaintiffs for cancellation of the sale deed in question has been dismissed.
2. Learned Additional Advocate General appearing for the appellants-State submitted that the land under the sale deed is situated nearby the border area. The sale deed in question has been executed in contravention of the notification dated 12.03.1996 issued by the Central Government in terms of Section 3(1) of the Criminal Procedure (Amendment) Act, 1961. The sale

of land of that area to any non-resident of the area is not permissible without permission of the State Government. The sale deed in question is hence, illegal and contrary to law.

3. In other identical first appeals, notices of the application under Section 5 of the Limitation Act as also of the appeal have been issued and interim orders have been passed.

4. In view of the above, issue notice of the application under Section 5 of the Limitation Act. Issue notice of first appeal as well as stay application to the respondents. Rule be made returnable within six weeks.

5. Call for the record.

6. In the meanwhile and till further orders, status quo, as it exists today, shall be maintained by both the parties qua the property under the sale deed in question.

7. Meanwhile, learned counsel for the appellants is directed to remove the defects as pointed out by the office.

(REKHA BORANA),J