

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

S.B. Civil Second Appeal No. 38/2020

1. Mahendra Puri S/o Laxhman Puri, Aged About 43 Years, R/o Mungana, Tehsil Dhariyawad, District Pratapgarh (Raj.)
2. Naresh Puri S/o Laxhman Puri, Aged About 38 Years, R/o Mungana, Tehsil Dhariyawad, District Pratapgarh (Raj.)
3. Madan Puri S/o Laxhman Puri, Aged About 31 Years, R/o Mungana, Tehsil Dhariyawad, District Pratapgarh (Raj.)
4. Bhawar Puri S/o Laxhman Puri, Aged About 28 Years, R/o Mungana, Tehsil Dhariyawad, District Pratapgarh (Raj.)

----Appellants

Versus

Ajeet Kumar S/o Late Jeevraj Chandavat, Aged About 53 Years, R/o Mungana, Tehsil Dhariyawad, District Pratapgarh (Raj.)

----Respondent

For Appellant(s)	:	Ms. Aditi Moad
For Respondent(s)	:	Mr. Hemant Dutt

HON'BLE MS. JUSTICE REKHA BORANA

Order

22/04/2026

1. The present second appeal has been filed aggrieved of judgment & decree dated 21.05.2019 passed by Family Court, Pratapgarh in Civil Regular Appeal No.87/2017 (10/2016) whereby judgment & decree dated 31.05.2016 passed by Civil Judge, Dhariyawad, District Pratapgarh in Civil Original Suit No.01/2012, stood affirmed.
2. Vide judgment & decree dated 31.05.2016, the learned Trial Court proceeded on to decree the suit for permanent and mandatory injunction as filed on behalf of the plaintiff.

3. It is an admitted case that the defendants who claimed the ownership of 6 bighas of land did not exhibit any documentary evidence in support of their pleadings. Both the Courts recorded a concurrent finding that the statements of the defendant witnesses were contradictory. One of the defendants averred 3 bighas of land to be of their ownership whereas the other defendant averred the same to be one bigha only and that toom an unpartitioned land. Further, the possession of the plaintiff on the land in question was an admitted fact.

4. In view of the fact that no document, whatsoever pertaining to the ownership of the land in question was exhibited by the defendants, both the Courts rightly decided issue No.4 against the defendants.

5. After hearing the counsels and perusing the record, this Court is in consonance with the findings as recorded by both the Courts.

6. No substantial question of law arises in the present appeal and the same is hence, **dismissed**.

7. Let the decree be drawn accordingly.

8. Stay petition and pending applications, if any, stand **disposed of**.

(REKHA BORANA),J