

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil First Appeal No. 36/2023

Lekh Raj

----Appellant

Versus

Shri Jin Kushal Guru Prachin Dadawari Bhaktajan Samiti

----Respondent

For Appellant(s)	:	Mr. Om Prakash
For Respondent(s)	:	Mr. Jitendra Chopra

HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

24/07/2025

The matter comes up on application (IA No.01/2023) preferred on behalf of applicant – Kunwar Singh in present Regular First Appeal for treating him as appellant No.5 in the said appeal instead of respondent-defendant No.3.

Learned counsel for the petitioner submits that on account the mother of the applicant being hospitalized, the appellant could not contact his counsel, as such, he could not file the appeal and therefore, he was impleaded as respondent-defendant No.3. Learned counsel, therefore, prays that the application may be allowed and the applicant may be treated as appellant No.5.

Per contra, Mr. Jitendra Chopra, learned counsel appearing for the respondent No.1 while reiterating the averments mentioned in reply to the said application, vehemently submitted that the dispute among the parties is since 2009 and the applicant in collusion with other defendants is raising frivolous ground only

to delay the case and take undue advantage of use and occupation of the disputed property.

Heard learned counsel for the parties and perused the application as well as reply to the said application.

Having heard the learned counsel for the parties and perusing the material available on record, this Court is of the considered opinion that in the facts and circumstances of the case, such request of the applicant cannot be acceded to, as such, the application is liable to be dismissed.

Consequently, the application(IA No.01/2023) is dismissed.

(CHANDRA SHEKHAR SHARMA),J