

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

S.B. Civil Second Appeal No. 270/2025

Shri Chintamani Jain Mandir Pranayas Bikaner, Through
Chairman Trustee- Nirmal Dhariwal Son Of Shri Hastimal Ji
Resident Of Oswal Kothari Mahaula, Bikaner, Present
Chairman/trustee Harish Kumar Nahata, Son Of Shri Sajjan Lal Ji
Nahta Aged About 69 Years Resident Of Bikaner

----Appellant

Versus

Shri Jinchandra Soori, Chela Shri Jin Vijendra Suri Resident Of
Gram Naal Badi Tehsil And District - Bikaner.

----Respondent

For Appellant(s)	:	Mr. Virendra Acharya with Ms. Gourangi Acharya
------------------	---	---

HON'BLE MS. JUSTICE REKHA BORANA

Order

22/04/2026

1. The following substantial questions of law arise in the present appeal:

(i) Whether the learned Trial Court erred in deciding issue No.1 against the plaintiff without considering the fact that no evidence was led by the defendant to prove his ownership on the land in question?

(ii) Whether both the Courts below erred in holding that the matter in issue already stood decided vide an earlier suit, ignoring the fact that herein it was the ownership of the defendant which was in question and the present defendant was not a party to the earlier suit?

2. Admit. Issue notice.

3. Notices be filed in two sets within a period of one week. On the same being filed, one set be given '*dasti*' to learned counsel for the appellant for service through registered post acknowledgment due.
4. Postal receipts of the '*dasti*' notices be filed within a period of one week from the date of receipt of '*dasti*' notices.
5. Notices be made returnable on 03.07.2026
6. Meanwhile, status quo regarding the property in question shall be maintained.

(REKHA BORANA),J