

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

S.B. Civil Misc. Appeal No. 3330/2025

1. Lrs Of Late Smt. Bhanwar Kanwar, W/o Late Shri Sardar Singh Through Lrs Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan
2. Lrs Of Late Prabhu Singh S/o Late Shri Sardar Singh, Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan Through Lrs
3. Smt. Chand Kanwar W/o Late Sh. Prabhu Singh, Aged About 70 Years, Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan
4. Manju Kanwar D/o Late Shri Prabhu Singh, Aged About 42 Years, Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan
5. Neelam Kanwar D/o Late Shri Prabhu Singh, Aged About 51 Years, Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan
6. Shri Bhawani Singh S/o Late Shri Prabhu Singh, Aged About 44 Years, Resident Of Village Boghera Tehsil Sardarshahar District Churu Rajasthan

----Appellants

Versus

Kamlesh Kanwar W/o Rajendra Singh, Aged About 44 Years,
Resident Of Kali Pahadi Tehsil And District Jhunjhunu Rajasthan

----Respondent

For Appellant(s)	:	Mr. S.R. Godara
For Respondent(s)	:	

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

13/03/2026

1. Learned counsel for the petitioner submits that the petitioner-plaintiff instituted a suit seeking cancellation of a registered gift deed. It is further submitted that thereafter, the

respondent–defendant filed an application under Order VII Rule 10 of CPC, contending that the Civil Court lacked jurisdiction to adjudicate the matter on the ground that the property in dispute is an agricultural land. However, the learned court below has allowed the said application and the suit was transferred to the concerned Revenue Court.

2. Learned counsel further submits that the learned court below has erred in passing the said impugned order as it is a settled position of law that where the validity of a registered document is under challenged, the jurisdiction to adjudicate the same vests with the Civil Court.

3. The matter requires consideration.

4. Issue notice to respondent(s), returnable within six weeks.

5. In the meanwhile and till the next date of hearing, effect and operation of the order dated 30.05.2025 passed by the learned Additional District Judge, Sardarshahar, District Churu in Civil Suit No.57/2021 (67/2014), shall remain stayed.

6. List after eight weeks.

(MUKESH RAJPUROHIT),J