

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

S.B. Civil Writ Petition No. 23154/2025

1. LRs Of Pitamber, S/o Aildas Ji
- 1/1. Dev Kumar S/o Late Shri Pitamber, Aged About 54 Years,
 Resident Of Vyas Ji Ka Nohra 1st A Road, Behind Nasrani
 Cinema, Jodhpur, Rajasthan.
- 1/2. Jai Kishan S/o Late Shri Pitamber, Aged About 52 Years,
 Resident Of Vyas Ji Ka Nohra 1st A Road, Behind Nasrani
 Cinema, Jodhpur, Rajasthan.

-----Petitioners

Versus

Inder Kishan Vyas S/o Shri Ummed Kishan, Resident Of 174,
Vyas Ji Ka Nohra, 1St A Road, Behind Nasrani Cinema, Jodhpur,
Rajasthan.

-----Respondent

For Petitioner(s)	:	Mr. Manish Patel
For Respondent(s)	:	Mr. H.R. Soni

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

25/02/2026

1. This writ petition has been filed by the petitioners under Article 226/227 of the Constitution of India against the order dated 11.09.2025 passed by the learned Rent Appellate Tribunal, Jodhpur in Rent Appeal No.32/2023 whereby the learned Rent Appellate Tribunal, Jodhpur allowed the appeal filed by the respondent and set aside the order dated 30.09.2023 passed by the learned Additional Senior Civil Judge (Rent Tribunal), Jodhpur Metropolitan in Writ Petition No.200/2015 (NCV No.279/2016).
2. Learned counsel for the petitioners, instead of assailing the validity of the impugned order and without joining the issues on

merit, submits that the petitioners are ready and willing to handover possession of the rented premises to the respondent, provided that a reasonable time is granted to do so. Learned counsel further submits that the petitioners are ready and willing to pay the entire arrears of rent, if any, and thereafter, they will continue to pay the monthly rent to the respondent. He also submits that the petitioners will furnish an undertaking to this effect before the learned Rent Tribunal.

3. Learned counsel for the respondent submits that shortest possible time may be granted to the petitioners to vacate the rented premises and they may be directed to file an undertaking before the learned Rent Tribunal to the effect that they will handover the peaceful and vacant possession of the rented premises on or before the date so fixed by this Court.

4. Heard learned counsel for the parties.

5. Having considered the rival submissions and the fact that the petitioners are not joining the issues on merit, this Court while upholding the order dated 11.09.2025 passed by the Appellate Rent Tribunal, Jodhpur deems it just and proper to direct the petitioners to handover the vacant and peaceful possession of the rented premises in question to the respondent on or before 31.03.2027. The petitioners are further directed to pay the arrears of rent, if any, and they will continue to pay the monthly rent as agreed to the respondent. The petitioners shall also file an undertaking showing their clear intentions to vacate the rented premises on or before 31.03.2027 and pay monthly rent on time to the respondent before the learned Rent Tribunal within one month from the date of this order.

6. It is made clear that in case, the order passed by this Court is not complied with by the petitioners, the respondent will be free to take appropriate proceedings including filing of execution petition and contempt petition against the petitioners.
7. The writ petition is disposed of in the above terms.
8. The stay application also stands disposed of.

(MUKESH RAJPUROHIT),J

221-Ramesh/-