

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

S.B. Civil Writ Petition No. 23934/2025

Sitaram S/o Amraram Ji, Aged About 60 Years, R/o Bakiya Bera,
Punjla, Mandore, Jodhpur.

-----Petitioner

Versus

Dhan Singh S/o Binjaram, R/o Sankhlo Ka Bass, Magra Punjla,
Jodhpur, Presently Residing At Tuntki Badi, Bajrang Vihar,
Jodhpur.

-----Respondent

For Petitioner(s) : Mr. O.P. Boob

For Respondent(s) : -

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

13/03/2026

1. Learned counsel for the petitioner submitted that a suit for specific performance was filed by the petitioner. The petitioner has filed an application under Order XXXIX Rule 1 and 2 of CPC. The learned trial Court rejected the said application against which the petitioner preferred an appeal which was also dismissed by the learned Appellate Court. Learned counsel for the petitioner submits that the petitioner has paid entire consideration amount to the respondent and the balance of convenience is in favour of the petitioner.
2. The matter requires consideration.
3. Issue notice. Issue notice of stay application also, returnable within a period of six weeks.



[CW-23934/2025]

4. In the meanwhile and till next date, the respondent is restrained to create third party right with regard to the property in question.

(MUKESH RAJPUROHIT),J

38-Ramesh/-