

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 266/2026

Ramesh Chand Son of Faguni Ram and Ors.

----Appellants

Versus

Niranjan Singh Son Chhitariya and Ors.

----Respondents

For Appellant(s) : Mr. M.M. Ranjan, Sr. Adv. with
Mr. Dheeraj Singhal

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

23/02/2026

1. The present first appeal has been filed by the appellants, assailing the judgment and decree dated 17.09.2025 in Civil Suit No.20/2018(CIS No.49/2018) titled '*Ramesh Chand & Ors. Vs. Niranjan Singh & Ors.*', passed by the learned Additional District Judge No.3, Bharatpur, District Bharatpur, whereby the suit filed by the plaintiff/appellant for partition and permanent injunction has been dismissed.

2. Learned counsel for the appellants submits that the learned Court below has erred in dismissing the suit while ignoring the fact that the appellants have proved the averments of the plaint and defendants have failed to prove the ownership of the suit property, which they have allegedly inherited from their ancestor *Chhitariya*. He further submits that the learned Court below erred in dismissing the suit while wrongly recording that Khasra bearing No.1280 (in Exhibits 3 and 4) does not fall in Village Kishanpura, and that the same is situated in Kaswa Bharatpur Chak No.2.

3. Heard.
4. Matter requires consideration.
5. Admit.
6. In view of the above, issue notice to the respondents.
7. Notices be filed in two sets and upon filing the same, one set be sent by ordinary post and another by registered post, returnable within six weeks.
8. List this matter after six weeks.
9. Let the record of the learned court below be summoned.
10. In the meanwhile, the respondents are restrained from selling, transferring, alienating or creating third party rights over the suit property.

(MANEESH SHARMA),J