



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Second Appeal No. 33/2026

Bhoop Singh S/o Shri Tej Singh, Aged About 60 Years, R/o Aagar Colony, Soughar Mohalla, Kasba Deeg, Tehsil Deeg, District Deeg (Rajasthan).

----Appellant

Versus

1. Raju Urf Gopal Krishna, Aged About 55 Years, S/o Shri Balvant,
2. Miss Gudia D/o Shri Balvant, Aged About 32 Years, Both R/o Nai Sarak, Kasba Deeg, Tehsil Deeg, District Deeg (Rajasthan).

----Respondents

For Appellant(s)	:	Mr. Dinesh Chand Gupta Mr. Hemraj Rodiya
For Respondent(s)	:	Mr. Raj Kumar Goyal

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

18/02/2026

1. The present civil second appeal has been filed by the appellant, assailing the judgment and decree dated 26.11.2025 passed by the learned District and Sessions Judge, Deeg, in Civil Regular Appeal No.22(A)/2025 (CIS No.10/2025) titled as '*Bhoop Singh vs. Raju & Anr.*', whereby the appeal filed by the appellant was dismissed, and the judgment and decree dated 28.08.2025 passed by the learned Senior Civil Judge and Chief Judicial Magistrate, Deeg, in Civil Suit No.05/2005 (CIS No.27/2019) titled as '*Raju @ Gopal Krishna & Anr. vs. Bhoop Singh*' was confirmed, whereby the civil suit filed by the respondents/plaintiffs for eviction and recovery of rent was decreed.



2. Learned counsel for the appellant, upon instructions of his clients, submits that the appellant does not wish to press the present civil second appeal on merits, and would be satisfied if the appellant is granted reasonable time of one and half year to vacate the suit premises.

3. Learned counsel for the respondent, upon instructions from his client, submits that he has no objection if the time prayed for by the appellant, to vacate the suit premises, is granted.

4. Heard.

5. In view of the above, and with the mutual consent of the parties, this civil second appeal is disposed of with the following directions:

"(i) The appellant shall be entitled to continue in possession of the suit premises until 30.08.2027, but not beyond, on the condition that the appellant shall hand over vacant and peaceful possession of the premises to the respondent on or before that date i.e. 30.08.2027.

(ii) The appellant shall pay or deposit entire arrears of rent, if any, and further pay rent due from 01.12.2019 up to 31.01.2026 at the rate of Rs.1,000/- per month within four months from today in four equal installments into the bank account of the respondent. From 01.02.2026 onwards until the date of actual vacation, the appellant shall continue to pay or deposit the mesne profits at the rate of Rs.3,000/- per month in the respondent's bank account by the 15th day of each month.

(iii) The appellant shall not sublet, create any third-party rights, or hand over possession of the tenanted premises to any other person.

(iv) If the appellant fails to deposit the mesne profits for four (4) consecutive months, the respondent shall be entitled to execute the decree without further reference of this Court, from the date of such default.



(v) The appellant shall submit an undertaking duly supported with an affidavit, incorporating the above conditions, before the learned Trial Court within four weeks from the date of this order. Non-compliance or breach of any condition mentioned hereinabove shall empower the respondent to execute the decree immediately and take possession of the premises in accordance with law.

(vi) If the appellant fails to vacate the premises by 30.08.2027, the respondent may initiate contempt proceedings for breach of undertaking or non-compliance."

6. Accordingly, while maintaining the impugned judgment and decree, the present civil second appeal is dismissed, with the aforesaid directions.

7. All other pending applications, if any, also stand disposed of as not pressed.

(MANEESH SHARMA),J