

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 210/2026

Murarilal Son of Chhitarram

----Appellant

Versus

Mamraj Son of Ramjilal and Ors.

----Respondents

For Appellant(s)	:	Mr. Rohit Tantia for Mr. Jai Raj Tantia
For Respondent(s)	:	Mr. L.L. Gupta

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

23/02/2026

1. The present first appeal has been filed by the appellant, assailing the judgment and decree dated 15.10.2025 in Civil Suit No.34/12/2014 titled '*Mamraj and Ors. Vs. Santosh & Ors.*', passed by the learned Additional District Judge, Bansur, District Kotputli, whereby the suit filed by the plaintiff/respondent for declaration and permanent injunction has been decreed.
2. Learned counsel for the appellant submits that the learned court below has erred in passing the impugned judgment and decree which is against the law and has ignored the provisions of Section 42 of the Rajasthan Tenancy Act, 1955, which categorically prohibits the sale by Members of Scheduled Castes and Scheduled Tribes in favour of a person who is not a member of that class.
3. In order to buttress his contentions, he relies upon the judgments passed by the Hon'ble Supreme Court in the case of

Ram Karan (dead) through Lrs. and Ors. Vs. State of Rajasthan and Ors.¹

4. Heard. Matter requires consideration.
5. Admit.
6. In view of the above, issue notice to the respondents.
7. Learned counsel, Mr. L.L. Gupta accepts notices on behalf of respondent Nos.1 to 9.
8. Let notice be issued to respondent Nos.10 to 20 only.
9. 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 eight weeks.
10. List this matter after eight weeks.
11. Let the record of the learned court below be summoned.
12. In the meanwhile, the respondents are restrained from selling, alienating or creating third party rights over the suit property.

(MANEESH SHARMA),J

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