

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 653/2024

Prabhati Devi Wife Of Late Shri Babu Lal

-----Petitioner

Versus

Shri Kalyan Realty Llp and Ors.

-----Respondents

For Petitioner(s) : Mr. Amitabh Jatav

For Respondent(s) :

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

18/01/2024

Counsel for the petitioner submits that the petitioner filed a suit for declaration, correction of entries in the revenue record and permanent injunction against the defendant/respondent Nos. 2 to 11 along with an appeal under Section 212 of the Rajasthan Tenancy Act, 1955. Counsel for the petitioner submits that vide order dated 05.09.2023 an interim order was passed and the parties were directed to maintain the status quo. Counsel submits that after passing of the aforesaid order, an application was filed by the respondent No. 1 for impleadment under Order 1 Rule 10 CPC and the same was considered and the case was posted for filing reply by the petitioner and in the meantime, applicant was also bound down by the aforesaid order. Counsel submits that till date, the applicant/respondent No.1 has not been impleaded as party as the application filed under Order 1 Rule 10 CPC is still lying pending for adjudication on its merit but aggrieved by the above order, the applicant respondent No. 1 submitted an appeal before the Court of Revenue Appellate Authority, Jaipur who vide

order dated 26.10.2023 summoned the record of the Sub-Divisional Officer before proceeding further in the matter. Counsel submits that aggrieved by the aforesaid orders, applicant/respondent No. 1 submitted a revision petition which was in fact not maintainable and the same was entertained and admitted vide order dated 29.12.2023 and effect and operation of the orders dated 05.09.2023 and 26.10.2023 has been stayed.

Issue notice of writ petition as well as of the stay application to the respondents. Rule is made returnable by 29.05.2024.

Till next date, parties are directed to maintain the status quo.

(ANOOP KUMAR DHAND),J