

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 167/2026

Jagdish Prasad Son Of Late Shri Ganpatram,

----Appellant

Versus

Kasim Jod Son Of Shri Mohiyuddin Jod & Ors.

----Respondents

For Appellant(s) : Mr. Ashok Sharma

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

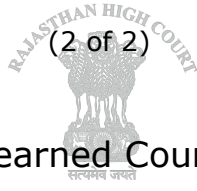
20/02/2026

1. While impugning the judgment and decree dated 30.10.2025 passed by the learned Additional District Judge No.1, Sikar, District Sikar, in Civil Suit (CIS) No. 116/2024, titled as '*Jagdish Prasad Vs. Kasim Jod & Ors.*', whereby the suit for declaration of sale deed as null and void, and for permanent injunction was rejected under Order 7 Rule 11 (b) & (d) of Code of Civil Procedure, 1908 (CPC), the learned counsel for the appellant submits that the impugned order is unsustainable in the eyes of law, as the question of limitation is always a mixed question of fact and law and the same cannot be considered at the stage of an application under Order 7 Rule 11 of CPC. He therefore prays that the impugned judgment and decree dated 30.10.2025 may kindly be set aside.

2. Heard.

3. In view of the submissions made hereinabove, issue notice to the respondents, returnable within six weeks.

4. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.



[CFA-167/2026]

5. Let the record of the learned Court below be summoned.
6. List the matter after six weeks.

(MANEESH SHARMA),J

Seema/5