

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

S.B. Civil First Appeal No. 31/2022

Shri Devi S/o Shri Dhanna Ji & Ors.

----Appellants

Versus

Shri Jeevan S/o Shri Surajmal & Ors.

----Respondents

For Appellant(s)	:	Mr. Amit Jindal
For Respondent(s)	:	Mr. R.P. Singh, AAG assisted by Mr. Jaivardhan Singh Shekhawat Mr. Rahul Agarwal

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

12/04/2022

Appellants-defendants have filed this first appeal assailing the judgment and decree dated 14.12.2021 passed by Additional District Judge No.3, Beawar in civil suit No.10/2017 whereby and whereunder the civil suit for specific performance filed by respondent No.1-plaintiff has been decreed.

After service of notices, respondents have put in appearance.

By perusal of impugned judgment, it appears that respondent-plaintiff has been found in cultivation and possession of the land in question and findings of possession stand in his favour. However, since the decree for specific performance has been passed in the first appeal, the matter required to be heard on facts and law hence the appeal is **admitted** for hearing.

Since all respondents are put in appearance, no need to issue fresh notices for hearing.

Having considered the facts and circumstances of the case and nature of decree, the execution of impugned judgment and

decree dated 14.12.2021 shall remain stayed with further direction that both parties shall maintain status quo as to alienation and possession in relation to the property in question during the course of appeal.

With aforesaid observations, the stay application stands disposed of.

(SUDESH BANSAL),J

SAURABH/28

RAJASTHAN HIGH COURT



सत्यमेव जयते