

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 1708/2026

Radheshyam S/o Shree Ram, Aged About 73 Years, R/o Sadarpura, Tehsil Malpura, District Tonk (Raj.)

----Plaintiff/Decree Holder/Petitioner

Versus

1 Heera S/o Bhura, R/o Sadarpura, Tehsil Malpura, District Tonk, Rajasthan.

2 Kishan S/o Bhura, R/o Sadarpura, Tehsil Malpura, District Tonk, Rajasthan.

----Defendants/Objectioners/Respondents

For Petitioner(s) : Mr. Devashish Pancholi

For Respondent(s) : Mr. Praveen Kumar Jain

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

27/04/2026

1. The present writ petition has been filed assailing the order dated 08.12.2025, passed by learned Civil Judge and Judicial Magistrate, Malpura, District Tonk, whereby the learned Trial Court, while considering the application of the judgment-debtors, deemed it appropriate to record evidence of both parties and thereafter decide the matter.

2. This Court finds that the learned Trial Court, in its order sheet dated 20.08.2025 passed in the execution proceedings, had directed the Tehsildar, Malpura, to place on record the *naksha trace* as well as the revenue record pertaining to Khasra No. 686/1.

3. However, on the next date, without awaiting the said record, the execution of the decree was ordered on 29.08.2025. This Court further finds that although possession has been handed over

in execution of the decree, the judgment-debtors have now raised objections which are required to be adjudicated by the Executing Court.

4. In view of the above, this Court finds no error so as to warrant interference in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India. Accordingly, the present civil writ petition is dismissed.

5. The learned Executing Court below is directed to decide the objections as expeditiously as possible.

6. Pending application(s), if any, also stands disposed of.

(BIPIN GUPTA),J