

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 1573/2026

Kailash Chand Verma S/o Shri Jawhar Lal Ji Verma

-----Petitioner

Versus

Shri Deepak Verma S/o Shri Kailash Chand Verma

-----Respondent

For Petitioner(s) : Ms. Disha Jain,
Ms. Pranjal Mundra,
Ms. Sanya Mangal on behalf of
Mr. Veyankatesh Garg

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

17/02/2026

1. The present writ petition has been filed assailing order dated 06.01.2026, passed by learned Additional Civil Judge cum Judicial Magistrate, Ajmer City(West), Ajmer, in Civil Suit No. 41/2016 (CIS No. 346/2016), whereby the application dated 28.11.2025, filed by the plaintiff under Order 7 Rule 14 (3) CPC has been dismissed.
2. Learned counsel for the petitioner submits that the plaintiff petitioner had got the disputed Will examined by a private expert and, therefore, he requested the learned Trial Court to take on record the report of the private expert under Order 7 Rule 14(3) CPC, which has wrongly been rejected by the learned Trial Court.
3. Learned counsel for the petitioner submits that during the cross-examination of the plaintiff's witnesses, the defendant cross-examined the witness with regard to the previous FSL report

tendered in the criminal litigation pertaining to the disputed Will executed on 29.04.2004.

4. Learned counsel for the petitioner submits that the learned Trial Court has taken the FSL report to be a conclusive evidence in regard to the disputed Will without opportunity of rebuttal.

5. Heard.

6. Let notices be issued to the defendant. Rule is made returnable within four weeks.

7. In the meanwhile, the proceeding in Civil Suit No. 41/2016 (CIS No. 346/2016) pending in the Court of Additional Civil Judge cum Judicial Magistrate, Ajmer City(West), Ajmer shall remain stayed till the next date of hearing.

8. The order will come into effect only after the service of respondent is complete.

9. List this matter after four weeks.

(BIPIN GUPTA),J