

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 406/2026

1. Foolchand Kumawat S/o Late Sh. Hanuman Sahai Ji Kumawat, R/o House No. 29, In Front Of Kanya Pathshala, Bajrang Colony, Jhotwara, Jaipur. (Deceased In Pendency Of Suit)
- 1/1. Smt. Uma Devi W/o Late Foolchand Kumawat (Deceased)
- 1/2. Sunil Kumawat S/o Foolchand Kumawat
- 1/3. Sunita Kumawat D/o Foolchand Kumawat
- 1/4. Savita Kumawat D/o Foolchand Kumawat
Resident Of-D-87, Karghani Scheme, Kalwar Road, Jaipur.

----Appellants-Plaintiffs

Versus

1. Banwari Lal Yadav S/o Sh. Ramchandra Yadav, Resident Of House No. 54, Krishna Nagar, Officers Enclave, Jhotwara, Jaipur.
2. Smt. Bhanwari Devi W/o Late Sh. Hanuman Sahay, Resident Of- 11, Jagdish Colony, Niwaru Road, Jhotwara, Jaipur. (Deceased Legal Heirs)
3. Bhanwar Lal S/o Late Sh. Hanuman Sahai, Resident Of- 11, Jagdish Colony, Niwaru Road, Jhotwara, Jaipur. (Deceased In Pendency Of Suit)
- 3/1. Smt. Bhanwari Devi W/o Late Sh. Bhanwar Lal, Resident of- House No. 29, In Front of Kanya Pathshala, Bajrang Colony, Jhotwara, Jaipur.
- 3/2. Sanjay Kumawat S/o Late Sh. Bhanwar Lal, House No. 29, In Front of Kanya Pathshala, Bajrang Colony, Jhotwara, Jaipur.
4. Smt. Kamla Devi W/o Sh. Madan Lal, Resident Of-A-71, Shri Ramnagar, Jhotwara, Jaipur.
5. Smt. Urmila Devi W/o Ramchandra D/o Late Sh. Hanuman Sahai, Resident Of-10, Jagdish Colony, Niwaru Road, Jhotwara, Jaipur.
6. Smt. Geeta Devi W/o Jagdish Rajoria, Resident Of- House No. 12, Narendra Nagar Vistar, Swej Farm, Sodala, Jaipur.
- 6/1. Jagdish S/o Unknown
- 6/2. Garima D/o Sh. Jagdish

6/3. Gaurav S/o Sh. Jagdish
Resident of- House No. 12 Narendra Nagar, Vistar, Swej
Farm, Sodala, Jaipur.

----Respondents-Defendants

7. Smt. Vimla Devi W/o Late Sh. Ramswaroop, Resident Of-
House No. 29, In Front Of Kanya Pathshala, Bajrang
Colony, Jhotwara, Jaipur.

8. Pankaj Kumawt S/o Late Sh. Ramswaroop, Resident Of-
House No. 29, In Front Of Kanya Pathshala, Bajrang
Colony, Jhotwara, Jaipur.

----Proforma-Respondents

For Appellant(s) : Mr. Atul Saxena with
Mr. Om Prakash Gupta

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

28/04/2026

1. Instant appeal has been filed challenging the judgment and decree dated 31.10.2025 passed by learned Additional District Judge No.2, Jaipur Metropolitan-I (hereinafter referred to as learned 'trial Court') in Civil Suit No.25/2025 (188/2012), whereby learned trial Court dismissed the suit filed by the plaintiffs-appellants, for preemption of the property.

2. Learned counsel for the appellants submits that at the risk and peril of the appellants, service upon respondents No.7 and 8 may be dispensed with.

3. At the risk and peril of the appellants, service upon respondents No.7 and 8 is dispensed with.

4. Issue notice to the respondents No.1 to 6 by both modes i.e. by ordinary course as well as by registered post, returnable within six weeks. Requisites be filed within a period of one week.

5. Notices be given 'dasti', as prayed.
6. Record of the Court below be summoned.
7. List the matter after six weeks.
8. Till the next date of hearing, both the parties are restrained from creating any third party interest with respect to the property in dispute.

(ASHUTOSH KUMAR),J