

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 242/2026

Sheela W/o Durga, & Anr.

----Appellants

Versus

Rambir S/o Kambod, & Ors.

----Respondents

For Appellant(s)	:	Mr. Vaishnav Saurabh Dharampal Mr. Anirudh Tyagi
For Respondent(s)	:	Mr. Manoj Kumar Bhardwaj Mr. Sachin Kumar

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

27/02/2026

1. While impugning the judgment and decree dated 20.01.2026 passed by the learned Additional District Judge, Bari, District Dholpur, in Civil Suit (CIS) No.11/2017, whereby the suit filed by the plaintiff/respondent for specific performance and permanent injunction, was decreed; learned counsel for the appellants submits that the learned Court below committed serious illegality in decreeing the suit for specific performance. He further submits that the appellants are bona fide purchasers of the suit property and in case the decree is executed during the pendency of the present appeal, they will suffer irreparable loss. He therefore submits that the impugned judgment and decree is unsustainable in the eye of law.

2. *Per contra*, learned counsel for the respondent No.1 submits that they have filed reply to the stay application and that the present appellants cannot be said to be bona fide purchasers of

the suit property because as per cross-examinations of DW-1 and DW-2 i.e. present appellants, it is evident that they had complete knowledge about the previous agreement dated 18.04.2013 and there is no illegality in the impugned judgment and decree dated 20.01.2026.

3. Heard. Since factual and legal issues are involved in the present matter, the same requires consideration.

4. Admit.

5. Issue notice to the respondent Nos.2 to 6, returnable within four weeks.

6. List the matter after four weeks.

7. Let record of the Court below be summoned.

8. In the meanwhile, the execution of impugned judgment and decree dated 20.01.2026, shall remain stayed.

(MANEESH SHARMA),J