

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

S.B. Civil Writ Petition No. 2644/2026

Niranjan Lal S/o Shri Devi Sahahi

-----Petitioner

Versus

Anita Meena W/o Amar Singh Meena

-----Respondent

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For Petitioner(s) : Mr. Manu Bhargava  
Ms. Anukriti Sharma

For Respondent(s) :

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**HON'BLE MR. JUSTICE BIPIN GUPTA**

**Order**

**13/02/2026**

1. The present writ petition has been filed assailing the order dated 15.07.2025, passed by learned Civil Judge cum Judicial Magistrate No. 03, Alwar, whereby the objections of the petitioner in the execution of decree, were rejected.

2. Learned counsel for the petitioner contends that the defendant was in possession of the property in dispute even prior to the passing of the decree of injunction and therefore, without filing the suit for possession, a decree for injunction was obtained by the plaintiff. He submits when he raised objections regarding the maintainability of the execution of the decree, the same were rejected and the learned Executing Court has passed the order of demolition of the entire constructed house.

3. Learned counsel for the petitioner further submits that when the suit was filed, the plaintiff had annexed the map wherein a vacant plot with no construction and only boundary wall existing was shown. He submits that however,

today a fully constructed house is present on the site but the learned Executing Court has ordered the demolishing of the property, thereby dispossessing the petitioner.

4. Heard.

5. Let notices be issued to the plaintiff-respondent. Rule is made returnable within two weeks

6. In the meanwhile, the proceeding in Execution Case No. 36/10/2016, pending before Court of Additional Civil Judge cum Judicial Magistrate, No. 03, Alwar, shall remain stayed till the next date of hearing.

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

8. List this matter on 27.02.2026.

**(BIPIN GUPTA),J**