HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 515/2025

Mulphat Khan S/o Chhaddami Khan, Aged About 68 Years, R/o Village Berla, Tehsil-Tijara, Distt.-Alwar.

----Appellant-Plaintiff

Versus

1. Sona Singh S/o Bahadur Singh, (Deceased Represented Through Lrs).
   1/1. Jeevan Singh S/o Late Shri Sona Singh, R/o Village-Berla, Tehsil Tijara, Distt-Alwar.
   1/2. Balwant Singh S/o Sona Singh, R/o Village- Berla, Tehsil Tijara, Distt-Alwar.
   1/3. Santo D/o Sona Singh W/o Puran Singh, R/o Jhhivana, Tehsil-Tijara, Distt. Alwar.
   1/4. Chhindo Bai D/o Sona Singh W/o Baha Singh, R/o Jhivana, Tehsil-Tijara, Distt. Alwar.
2. Sakuri W/o Subhana, R/o Village Berla, Tehsil-Tijara, Distt. Alwar.

----Respondents-Defendants

For Appellant(s) : Mr. Vipul Jain, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

21/04/2026

1. This civil first appeal has been filed against the judgment and decree dated 14.11.2024 passed by learned Additional District Judge No.2, Tijara, District Alwar (hereinafter referred to as learned 'trial Court') in Civil Suit No. 34/100/2015 (25/2009) (109/2008) titled as Mulphat Khan Vs. Sona Singh & Anr., whereby, the learned trial Court has dismissed the suit filed by appellant-plaintiff for specific performance of contract and permanent injunction.

2. Learned counsel for the appellant-plaintiff submits that learned trial Court has admitted the fact that the contract was executed by the respondent No.1-defendant and substantial amount of sale consideration was paid to the appellant-plaintiff, even though on the ground of readiness and willingness on the part of the appellant-plaintiff, the suit has been dismissed.

3. The matter requires consideration.

4. Issue notice to the respondents by both modes i.e. by ordinary process as well as by registered post, returnable within six weeks.

5. Requisites be filed within one week.

6. List the matter after six weeks.

7. Record of the case be called for.

8. Till then, the respondents are directed not to create any third party interest in the suit property.

(ASHUTOSH KUMAR),J

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