

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

S.B. Civil Second Appeal No. 92/2019

Shyam Sundar Bhatra S/o Shri Nathulal (deceased) & Ors.

----Appellant

Versus

Hanuman Sahay S/o Narayan Sahay & Ors.

----Respondent

For Appellant(s) : Mr. Prem Shanker Sharma

For Respondent(s) : Mr. Abhi Goyal

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

28/04/2022

In the present appeal, the dispute between parties is about 8 feet wide way. As per appellants-defendants, this way is their personal land, purchased through registered sale deed dated 03.12.1980 but the trial Court decreed the suit, declaring sale deed of appellants as null and void to the extent of this way.

Counsel for appellants submits that respondents-plaintiffs as alternative way towards northern side for their shop, however, plaintiffs claimed an additional way through personal way of defendants.

Matter requires consideration.

Record of both Courts below be summoned.

In the meanwhile and till further orders, operation of impugned judgment and decree shall remain stayed with further direction that both parties shall maintain status quo as to alienation/possession in relation to the way in question as it exists today.

(SUDESH BANSAL),J