

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2751/2026

Mohammed Arif S/o Kayamuddin

-----Petitioner

Versus

Maqbool Alias Dholu, Son Of Ibrahim

-----Respondent

For Petitioner(s)	:	Ms. Pratyushi Mehta
For Respondent(s)	:	Mr. Lokesh Tiwari for Mr. Rajat Ranjan

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

16/02/2026

1. The present writ petition has been filed assailing the order dated 22.01.2026, passed by learned Additional District Judge No.1, Mukam Jhunjhunu, whereby the application of the plaintiff-petitioner under Section 37 of the Rajasthan Stamp Act, 1998, was rejected.
2. Learned counsel for the petitioner contends that, at an earlier point in time, a Co-ordinate Bench of this Court in S.B. Civil Writ Petition No. 17283/2025, vide order dated 13.11.2025, had permitted the plaintiff-petitioner to file an application for impounding the document and for sending the same for determination and payment of proper stamp duty.
3. However, in spite of the order dated 13.11.2025, the learned Trial Court rejected the application merely on account of the earlier order dated 28.08.2025, without taking into consideration the order dated 13.11.2025 passed by this Court in the earlier writ petition preferred and the purposive interpretation of the order. He

thus contends that the impugned order dated 22.01.2026 deserves to be quashed and set aside.

4. Per contra, learned counsel for respondent Nos.2 and 5 has vehemently opposed the prayer of the plaintiff-petitioner.

5. Heard.

6. Let notices be issued to respondent Nos. 1, 3 and 4. Rule is made returnable within four weeks.

7. "*Dasti*" permitted.

8. In the meantime, further proceedings in Civil Suit No.44/2022 (CIS 23/19) pending before the learned Court of Additional District Judge No.1, Mukam Jhunjhunu, shall remain stayed till the next date of hearing.

9. This order will come into effect only after the service of respondent Nos. 1, 3 and 4 is complete.

10. List this matter along with Writ Petition No.2619/2026 after four weeks.

(BIPIN GUPTA),J