

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3349/2026

Shankar Bhawan Nirman Sahakari Samiti Ltd.

-----Petitioner

Versus

Deendayal S/o Late Gopal

-----Respondent

For Petitioner(s) : Mr. Aatish Jain

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

23/02/2026

1. The present writ petition has been filed assailing the order dated 01.05.2023, passed by learned Additional District and Sessions Judge No. 4, Jaipur Metropolitan- II, Jaipur, in Civil Suit No. 709/2012, whereby the application under Order 22 Rule 4 Read wiith Section 151 of CPC and Section 5 of Limitation Act for taking legal representatives of defendant Deendayal on record has been dismissed and suit was abated qua defendant No. 1.
2. Learned counsel for the petitioner contends that some of the legal heirs of Deendayal were already on record, therefore, the suit could not have been abated against the defendant No. 1.
3. Heard.
4. Let notices be issued to the respondent No. 2, 3, 5, 6 and 7. Rule is made returnable within four weeks.
5. '*Dasti*' permitted.
6. List this matter after four weeks.

(BIPIN GUPTA),J