

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 304/2015

Om Prakash S/o Shri Sanwar Mal R/o Near Post Office, Ramgarh
Shekhawati, Distt. Sikar, Raj.

----Appellant

Versus

1. Prahlad Rai S/o Shri Chaggan Lal (Since deceased)
- 1/1. Pawan Kumar S/o Late Prahlad Rai
- 1/2. Sushil Kumar S/o Late Prahlad Rai
- 1/3. Smt. Puspa Devi W/o Late Prahlad Rai
- 1/4. Babita Devi D/o Late Prahlad Rai
- 1/5. Sarla Devi D/o Late Prahlad Rai
- 1/6. Savita Devi D/o Late Prahlad Rai
2. Shyam Sundar S/o Shri Chaggan Lal
All R/o Kejriwal House, Ramgarh Shekhawati, Distt. Sikar
Raj.

----Respondents

For Appellant(s)	:	Mr. Yogesh Pujari
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

24/02/2026

1. The present second appeal has been filed by the appellant, assailing the judgment and decree dated 09.04.2015 in Civil Regular Appeal No.16/2013(59/2014) titled '*Om Prakash Vs. Prahlad Rai & Ors.*', passed by the learned Additional District Judge No.1, District Sikar, whereby the appeal filed by the defendant-appellant has been dismissed and impugned judgment and decree dated 03.08.2011 passed in Civil Suit No.29/2004 by

the Civil Judge, Senior Division, Fatehpur Shekhawati, District Sikar, has been affirmed.

2. Learned counsel for the appellant submits that as per the last information received from the appellant, the suit property was purchased by the appellant and substantial sale consideration amounting to Rs.3,04,000/- has been paid to the respondents and the parties are in process of executing a final sale deed pursuant to the said transaction.

3. He further submits that in view of the aforesaid, he seeks permission to withdraw the present appeal with liberty to file an application for revival of the present second appeal, in case the sale deed is not executed or the execution proceeding is again pursued by the plaintiff-respondent.

4. Considering the above submissions, the present appeal is dismissed as withdrawn with liberty to file an application for revival of the present second appeal, in case the sale deed is not executed or the execution proceeding is again pursued by the plaintiff-respondent.

5. Any other pending application(s), if any, stand disposed of.

(MANEESH SHARMA),J