

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3059/2026

1. Nathu S/o Shri Chothya, R/o Nichle Rajoron Ki Dhani, Ramjipura Was, Village Nayla, Tehsil Jamwaramgarh, District Jaipur (Raj.)
2. Bhagwan S/o Shri Chothya, R/o Nichle Rajoron Ki Dhani, Ramjipura Was, Village Nayla, Tehsil Jamwaramgarh, District Jaipur (Raj.)

----Petitioners/Applicants-Defendant No. 1 & 2

Versus

1. Ajay Kumar Sharma S/o Shri Babulal Sharma, Aged About 30 Years, R/o Ramjipura Was, Village Nayla, Tehsil Jamwaramgarh, District Jaipur (Raj.)
Non Applicant/Plaintiff/Respondent
2. Sub Registrar, Tehsil Jamwaramgarh, District Jaipur (Raj.)
3. Tehsildar, Tehsil Jamwaramgarh, District Jaipur (Raj.)

----Respondent/Non applicant/Defendant No.3 & 4

For Petitioner(s)	:	Mr. Amitabh Jatav
For Respondent(s)	:	

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

16/02/2026

1. The present writ petition has been filed assailing the order dated 31.01.2026, passed by learned Additional District and Sessions Judge, No.6, Jaipur Metropolitan-II, in CIS No. 263/2019, whereby the application filed by the defendants-petitioners under Order 11 Rule 12 & 14 of CPC was rejected.
2. Learned counsel for the petitioners contends that the suit for specific performance was filed by the plaintiffs-respondents wherein, they have stated that they paid Rs.18,40,000/- as part consideration in cash.

3. Learned counsel for the petitioners further submits that to find out the paying capacity of the plaintiffs, the defendants-petitioners filed application under Order 11 Rule 12 & 14 for calling upon the statement of accounts of the plaintiffs which has been rejected by the learned Trial Court.

4. Heard and perused the material available on record.

5. This Court finds that neither in the pleadings, no any statement of the plaintiffs are there on record as on today, whereby it can be said that any bank transaction is there. When once the plaintiff himself is not making any statement in regard to any bank transaction on account of any payment of the part consideration, there is no occasion for the plaintiffs to file an application for summoning and discovery of the statement of account of the plaintiff.

6. In view of above, this Court finds no error, so as to call for any interference in the impugned order dated 31.01.2026 passed by the learned Trial Court.

7. With the aforesaid observations, the present Civil Writ Petition is hereby dismissed.

8. Pending application(s), if any, also stand disposed of.

(BIPIN GUPTA),J