

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5516/2026

Smt. Damayanti, Wife Of Shri Krishan Murari Dadhich, Daughter Of Shri Yagyavallabh Ji Alias Habu Master, Aged About 53 Years, Resident Of Borkheda, Tehsil Ladpura, District Kota, Rajasthan.

-----Petitioner

Versus

1. Shri Yagyavallabh Ji Dadhich Alias Habu Master, Son Of Shri Bajranglal Ji Dadhich, Aged About 80 Years, Resident Of Ward No. 24, Itawa, Tehsil Pipalda, District Kota, Rajasthan.
2. Shri Prashant Dadhich, Son Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 43 Years,
3. Shashikala Dadhich Wife Of Late Shri Radheshyam Dadhich, Daughter Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 56 Years,
4. Lata Dadhich Wife Of Shri Rajendra Dadhich, Daughter Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 52 Years.
5. Kalpana Dadhich Wife Of Shri Devendra Dadhich, Daughter Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 48 Years.
6. Deepa Dadhich Wife Of Shri Shivdatt Dadhich, Daughter Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 46 Years.
7. Sunita Dadhich, Wife Of Shri Hemant Dadhich, Daughter Of Shri Yagyavallabh Ji Dadhich Alias Habu Master, Aged About 41 Years.
8. Smt. Madalsa Alias Guddi, Wife Of Shri Sanjay Sharma, Daughter Of Shri Bajranglal Ji, Aged About 75 Years,
9. Smt. Gargi Alias Munni, Wife Of Shri Chetan Ji Sharma, Daughter Of Shri Bajranglal Ji, Aged About 70 Years, All Residents Of Ward No. 24, Itawa, Tehsil Pipalda, District Kota, Rajasthan.
10. State Of Rajasthan, Through Tehsildar, Tehsil Pipalda, District Kota, Rajasthan.
11. Sub-Registrar, Tehsil Pipalda, District Kota, Rajasthan.
12. Municipal Board, Itawa, Through Its Chairman.
13. Naman Minor, Aged About 17 Years, Son Of Shri Prashant Dadhich, Through Guardian Son Of Prashant Dadhich Son Of Shri Yagyavallabh Ji Dadhich Alias Habu Master Resident Of Etawah Tehsil Pipalda District Kota, Rajasthan
14. Khemraj Son Of Shri Ramnarayan, Resident Of 1-12,

Sector -1, Mahaveer Nagar Extension Scheme, Kota,
Rajasthan

----Respondents

For Petitioner(s) : Mr. Sandeep Kumar with
Mr. Neeraj Kumar
For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA
Order

06/05/2026

1. The present writ petition has been filed by the petitioner seeking direction to the learned Additional District & Sessions Judge No.3, Kota (Rajasthan), to expeditiously dispose of the Civil Suit No.87/2021, titled as '*Smt. Damayanti Vs. Shri Yagyavallabh & Ors.*'.
2. Learned counsel for the petitioner submits that the Civil Suit No.87/2021 has been filed in the year 2021 and is pending adjudication since then. He, therefore, prays that the disposal of the said case may kindly be expedited, preferably within time bound manner.
3. Heard and considered the submissions made by learned counsel for the petitioner and perused the material available on record.
4. The Hon'ble Apex Court in the case of ***Sangram Sadashiv Suryavanshi vs. State of Maharashtra***¹ while relying upon the constitutional Bench judgment of the Hon'ble Supreme Court in ***High Court Bar Association, Allahabad vs. State of U.P.***², has deprecated the practice of Courts issuing directions to subordinate Courts to decide the matter within a timeline, the relevant extract

1 2024 SCC OnLine SC 3526

2 2024 INSC 150

of para 47.3 of **High Court Bar Association, Allahabad**
(*Supra*) is reproduced as under:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending;"

5. In that view of the matter, this Court is not inclined to accept the argument advanced by learned counsel for the petitioner to issue a direction to the learned Trial Court to decide the pending civil suit, expeditiously/within a time frame.

6. However, the learned Trial Court is expected to regulate its own procedure in respect of the cases on board for effective disposal and to ensure that the cases are disposed of expeditiously as soon as possible; while considering the year of institution, age of the parties concerned as well as the nature and pleadings of the matter at hand; at the same time, it is expected that the learned Trial Court will not entertain unnecessary and unwarranted requests for adjournment, while considering the fact that the matter pertains to partition, declaration and injunction, and that Civil Suit No.87/2021, is pending since 2021.

7. With the aforesaid direction, the present civil writ petition is disposed of.

8. All pending application(s), if any, shall stand disposed of.

(MANEESH SHARMA),J