

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 3279/2026

Jagdish Narayan Saini S/o Shri Narayan Sahay Saini, Aged About 55 Years, R/o Maliyon Ka Mohalla, Jamwa Ramgarh, Dist. Jaipur (Raj.)

-----Petitioner/Plaintiff

Versus

1. Smt. Sunita Devi W/o Late Shri Rajendra Kumar Khandelwal, R/o House No. 27-B, R.S.E.B. Colony, D-Block, Vaishali Nagar, Jaipur Rajasthan, New Address-10/84, Chitrakoot, Vaishali Nagar, Jaipur.
2. Mitra Griha Nirman Sahkari Samiti Ltd., Jaipur Through Adhyaksh/Mantri/Koshadhyaksh, Address-Pawan Tower, Ajmer Road, Sodala, Jaipur, Rajasthan.

-----Respondents/Defendants

For Petitioner(s) : Mr. Atul Sharma
For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA
Judgment / Order

23/02/2026

1. The present writ petition has been filed with an innocuous prayer that the learned Trial Court be directed to decide the application filed by the petitioner in Suit No. 277/2023, pending before the learned Civil Judge-cum-Metropolitan Magistrate (West), Jaipur Metropolitan-II, Jaipur, seeking withdrawal of the suit.

2. Learned counsel for the petitioner submits that an application was filed on 22.07.2024 for withdrawal of the suit, on the basis of a compromise. He further submits that the said application has not yet been decided and that the learned Trial Court is merely recording order sheets indicating that the matter is kept for perusal of the order.

3. However, learned counsel for the petitioner is unable to state the reason as to why the learned Trial Court is repeatedly recording the matter for perusal of orders, or as to which order is awaited for such perusal.

4. In these circumstances, this Court deems it appropriate to observe that, if there is no order restraining the learned Trial Court from proceeding with the matter, the learned Trial Court shall decide the petitioner's application dated 22.07.2024 as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a certified copy of this order.

4. With the above observations, the present Civil Writ Petition stands disposed of.

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

(BIPIN GUPTA),J