

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 328/2026

Mrs. Sunita Devi, & Ors.

----Appellants

Versus

Mufatlal S/o Late Shri Phool Singh,

----Respondent

For Appellant(s) : Mr. Sunil Kumar Singodiya

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

26/02/2026

1. While impugning the judgment and decree dated 19.01.2026 passed by the learned Additional District Judge No.2, Bharatpur in Civil Suit No.54/2022 (CIS No.141/2022), whereby the suit filed by the plaintiff/appellants for declaration, was rejected; learned counsel for the appellants submits that the learned Court below erred in not appreciating the fact that the respondent remained *ex parte* throughout the suit proceedings, as such the evidence led by the appellant remained uncontroverted, yet the suit has been dismissed.

3. In view of the above, issue notice to the sole respondent, returnable within four weeks.

4. Let record of the Court below be summoned.

5. Prayer for interim relief will be considered soon after the record is received.

6. Notice be given *dasti* to learned counsel for the appellants.

(MANEESH SHARMA),J