

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3461/2026

Bajrang Lal Swarnkar Son Of Matoli Ram

-----Petitioner

Versus

Arvind Kumar Srivastava Son Of Late Shri Govind Prasad

-----Respondent

For Petitioner(s)	:	Mr. Rajneesh Gupta
For Respondent(s)	:	

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

23/02/2026

1. Learned counsel for the petitioner submits that instead of considering his application under Order 1 Rule 10 CPC, he submits that his rights may be adjudicated as if the application is under Order 22 Rule 10 CPC. Since, it is undisputed that the share of suit property has been purchased in the year 1994, from defendant No. 2 Parvati Devi, whereas the suit is pending since 1989. He further submits that the provisions of Order 22 Rule 10 CPC clearly provides that either the original party can continue the suit or with the permission of the Court the subsequent purchaser can be impleaded as party and continue to defend the suit.
2. Heard.
3. The petitioner has confined his prayer only to the fact that he may be impleaded as party in view of provisions of Order 22 Rule 10 CPC and not in view of provisions under Order 1 Rule 10 CPC.
4. Therefore, this Court deems it appropriate to issue notice to the plaintiff-respondent No. 1. Rule is made returnable within four weeks.

5. In the meanwhile, the Court of learned Additional District and Sessions Judge No. 1, Gangapur City, District Sawai Madhopur is restrained from passing any final order in Civil First Appeal No. 18/2015.
6. The order will come into effect only after the service of respondents is complete.
7. List this matter after four weeks.

(BIPIN GUPTA),J