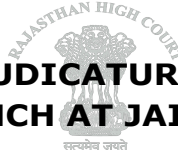




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 4756/2026
CNR: RJHC020170062026 | URN: CW / 10485U / 2026

Surendra Kumar Paliwal, S/o Shri Durgaprasad Paliwal, Aged About 30 Years, Resident Of Dhani Palwali, Tan Bhagega, Tehsil Neem Ka Thana, District Sikar, Rajasthan.

-----Petitioner

Versus

1. Kavita, D/o Late Shri Babulal, Aged About 22 Years, Resident Of Shardul Mohalla, Amarsar, Tehsil Shahpura, District Jaipur, Rajasthan, Presently Residing At Ward No. 24, Pushp Nagar, Srimadhampur, District Sikar, Rajasthan.
2. Narendra Kumar Arya, S/o Shri Ramjilal Balai, Resident Of Ward No. 4, Near Navodaya School, Near Amla Farm, Paota, Jaipur, Rajasthan.
3. Smt. Saroj Devi, W/o Girvar Singh, Resident Of Pushp Nagar, Srimadhampur, District Sikar, Rajasthan.
4. Jagdish Prasad, S/o Not Known, The Sub-Registrar, Ajitgarh, Tehsil Srimadhampur, District Sikar, Rajasthan.
5. Sumer Deswal, S/o Not Known, The Patwari (Halqa Patwari), Jugarajpura, Tehsil Srimadhampur, District Sikar, Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Aman Khandelwal
For Respondent(s)	:	

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

19/08/2026

1. Petitioner has invoked the jurisdiction of this High Court under Article 227 of the Constitution of India by means of filing instant writ petition seeking direction to decide the application filed by petitioner under Order 39 Rule 2-A CPC expeditiously.
2. Counsel for petitioner submits that on the application for temporary injunction, an injunction order dated 21.05.2025 was passed, however, flouting the same, respondents transferred the suit property, hence, an application under Order 39 Rule 2-A CPC



for disobedience of the injunction order has been filed before the trial Court on 27.05.2025.

3. Counsel for petitioner further submits that on the application under Order 39 Rule 2-A CPC, the trial Court has issued notices and respondents have put in appearance, but thereafter proceedings are going on at slow pace.

4. During course of arguments, counsel for petitioner admits that proceedings on the main Civil Suit are also pending at the stage of recording evidence, before the same Court.

5. In the opinion of this Court, ordinarily the application under Order 39 Rule 2-A CPC should be decided after recording evidence of parties whenever disputes questions of fact arise before the Court because the final outcome of application might have a penal consequence.

6. In that view of the matter, instead of issuing any direction for deciding or expediting the trial of application, instant writ petition stands disposed of with liberty to petitioner to make a request before the trial Court to expedite the proceedings on his application under Order 39 Rule 2-A CPC.

7. Stay application and other pending application(s), if any, also stand disposed of.

8. A copy of this order be sent to the trial Court for compliance.

(SUDESH BANSAL),J