

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 4119/2023

Manoj Kumar Sharma Son Of Shri Shambhu Dayal Sharma and Ors.

-----Petitioners

Versus

Smt Karuna Sharma Wife Of Late Shri Kamal Sharma and Ors.

-----Respondents

For Petitioner(s) : Mr. Ashwani Kumar Chobisa

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

01/08/2024

1. Counsel for petitioners-defendants states that respondents-plaintiffs have filed a civil suit for partition wherein defendants produced a family settlement dated 27.07.2005, but the trial Court has declined to receive the family settlement in defendants' evidence. Counsel for petitioners states that in view of the judgment of Hon'ble Supreme Court passed in case of **Kale Vs. Deputy Director of Consolidation [1976 3 SCC 119]**, documents of family settlement is not required to be registered and same can be admitted in evidence.

2. In such view of the fact that, no one has put in appearance on behalf of respondents-plaintiffs and suit has reached at the stage of final hearing, let this writ petition be listed on 26.10.2024.

3. Till then, civil suit No.06/2017 shall not be decided finally.

(SUDESH BANSAL),J