

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3521/2026

Madan S/o. Chota Nath, Aged About 64 Years, Resident Of Badh Bicchidona, Tehsil Malarna Doongar District Sawai Madhopur (Raj.)

-----Petitioner

Versus

1. Mohan, Aged About 58 Years, S/o. Chotanath
2. Ramprasad, S/o. Kalu
3. Mukesh, Aged About 46 Years, S/o. Kalu
4. Tikaram, Aged About 44 Years, S/o. Kalu
5. Bhola, Aged About 31 Years, S/o. Gopal
6. J.n, Aged About 29 Years, S/o. Gopal
7. Vikram S/o. Gopal, Aged About 27 Years, Resident Of Badh Bicchidona, Tehsil Malarna Doongar, District Sawai Madhpur (Raj.)
8. Village Panchayat Bicchidona, Through Sarpanch Village Panchayat Bicchidona, Panchayat Samiti, Bonli, District Sawai Madhopur..
9. Sub-Registrar, Sub-Registrar Office, Malarna Doongar, District Sawai Madhopur.
10. Tehsildar, Tehsil Malarna Doongar, District Sawai Madhopur.
11. Halka Patwari, Bicchidona Patwar Halka Donayacha, Tehsil Malarna Doongar, District Sawai Madhoupr.
12. Murari S/o. Chotya Nath, Aged About 56 Years, Resident Of Badh Bicchidona, Tehsil Malarna Doongar, District Sawai Madhopur (Raj.)

-----Respondents

For Petitioner(s) : Mr. Mukesh Pal Jadoun with
Mr. Anurag Chahar

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

24/02/2026

1. The present writ petition has been filed assailing the order dated 29.09.2025, passed by learned District Judge, Sawaimadhapur, in Regular Civil Appeal No. 89/2025, whereby the

application for temporary injunction preferred by the plaintiff-petitioner has been rejected by the learned First Appellate Court.

2. Learned counsel for the petitioner submits that a suit was instituted for cancellation of the adoption deed before the learned trial Court, which came to be dismissed vide judgment and decree dated 14.08.2025. Aggrieved thereof, the petitioner preferred an appeal, which is presently pending before the learned Appellate Court. He further contends that the application seeking temporary injunction filed in the said appeal has been erroneously rejected.

3. Learned counsel for the petitioner submits that the learned First Appellate Court has committed an illegality in declining to grant temporary injunction and that in the absence of such protection, the appeal itself is likely to be rendered infructuous.

4. Heard learned counsel for the petitioner and perused the material available on record.

5. A perusal of the impugned order reveals that the learned Appellate Court has refused to grant injunction primarily on the ground that during the pendency of the suit before the trial Court, no interim protection was operating in favour of the petitioner. Taking note of the said factual position, the Appellate Court declined to grant temporary injunction.

6. This Court does not find any perversity, patent illegality, or jurisdictional error in the order impugned so as to warrant interference in exercise of supervisory jurisdiction under Article 227 of the Constitution of India. The power under Article 227 is limited and is to be exercised sparingly, particularly in matters involving discretionary orders such as grant or refusal of temporary injunction.

7. Accordingly, the writ petition is dismissed. However, considering the nature of the dispute, the learned Appellate Court is expected to decide the pending appeal as expeditiously as possible, in accordance with law.

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

(BIPIN GUPTA),J