

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3630/2026

Rajendra Singh Shekhawat S/o Shri Vijay Singh Shekhawat, R/o 88, Chandravihar Nagar, Khatipura, Jaipur-302012 (Raj.)
Residing At Present Plot No. 53-B, Pashchim Vihar, Vaishali Nagar, Near Police Station, Jaipur-302021 (Raj.)

----Non-applicant-Tenant-Petitioner

Versus

Rajesh Balhar C/o Shri Krishna Das Nindawat, R/o Plot No. 212, Jagdamba Marg, Near Vaishali Nagar, Pashchimi Vihar, Jaipur (Raj.) Through Mukhtyarkhas Krishandas Nindawat S/o Late Shri Kewal Ram Nindawat, R/o 212, Jagdamba Marg, Near Vaishali Nagar Police Station, Jaipur (Raj.).

----Applicant-Landlord-Respondent

For Petitioner(s)	:	Mr. Shailesh Prakash Sharma
For Respondent(s)	:	

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

26/02/2026

1. Without pressing the present writ petition on merits, learned counsel for the petitioner submits that he had raised an objection by filing an application under Order VII Rule 11 CPC for rejection of the rent application on the ground that the said rent application had been filed by a Power of Attorney holder who was residing in the USA, and the Power of Attorney had been notarized in India.
2. Learned counsel for the petitioner further submits that the Power of Attorney was not valid and that no such rent petition could have been filed on the basis of such an invalid Power of Attorney.
3. Learned counsel for the petitioner contends that while rejecting the application under Order VII Rule 11 CPC, the learned

Rent Tribunal observed that it would be open to him to raise this objection at the time of final hearing; however, it has not been specified whether the said objection would necessarily be decided by the Rent Tribunal.

4. Learned counsel for the petitioner, therefore, urges that the learned Rent Tribunal be directed to decide the said objection at the time of final adjudication of the rent application.

5. Heard.

6. This Court deems it appropriate to direct that the objection raised by the petitioner is a legal objection, and such objection, even in the absence of a specific issue, is required to be considered and decided by the learned Rent Tribunal in accordance with law at the time of final adjudication.

7. With the above observations, the present writ petition stands disposed of.

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

(BIPIN GUPTA),J