

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal (Writ) No. 195/2025

Mst. Hastoodi D/o Shri Ganga Ram Jat and Ors.

----Appellants

Versus

Board Of Revenue and Ors.

----Respondents

For Appellant(s)	:	Mr. R.N. Mathur, Senior Advocate assisted by Ms. Anita Aggarwal & Mr. Laxmi Kant
For Respondent(s)	:	Ms. Shikha Sharma on behalf of Mr. G.S. Gill, AAG

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/04/2025

Heard on application (No.274/2025) for condonation of delay in filing the appeal.

Taking into consideration that immediately after dismissal of the review petition on 11.02.2025, present appeal has been filed against the order passed in the writ petition as well as in review petition, which is within the period of limitation, the application is considered and disposed of.

Ms. Shikha Sharma, associate of Mr. G.S. Gill, learned Additional Advocate General, who usually represents Department of Revenue, enters appearance and takes notice on behalf of respondent No.4.

Issue notice to respondent Nos.5 to 8/4 on payment of PF within two weeks, returnable within four weeks.

No notices are required to be issued to respondent Nos.1 to 3.

Following issues arise for consideration in this appeal:-

- (i) Whether so called documentary evidence of relinquishment of share by Late Ganga Ram was filed before SDO/Revenue Appellate Authority/Board of Revenue.
- (ii) If that document was sought to be led in the evidence at any stage, whether the revenue courts admitted the said documentary evidence in accordance with law, so as to become an admissible piece of evidence.
- (iii) If issue Nos.(i) and (ii) are answered in affirmative, whether the so called application of relinquishment submitted by Late Ganga Ram amounts to relinquishment of his share in the absence of the same being registered, as required under the provisions of Section 17 of the Registration Act.

Status-quo as it exist today shall be maintained in respect of the property in dispute by all the parties.

(ANAND SHARMA),J

(MANINDRA MOHAN SHRIVASTAVA),CJ