

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 413/2026

Jai Singh S/o Bhagchand & Ors.

----Appellants

Versus

Ramdhan S/o Shri Raghunath & Ors.

----Respondents

For Appellant(s) : Mr. Vimal Kumar Jain

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

13/03/2026

1. The present civil first appeal has been filed by the appellants, assailing the impugned judgment and decree dated 17.05.2024 passed by the learned Additional District & Sessions Judge No.2, Kekri, District Ajmer, in Civil Suit No.17/2023 (25/2022), (CIS No. 25/2022), titled as '*Ramdhan Vs. Geeta Devi & Ors.*', whereby the suit filed by the plaintiff for specific performance and permanent injunction was decreed.

2. Learned counsel for the appellants submits that the learned Court below seriously erred in granting the decree without proper appreciation of the facts that the respondents/defendants No. 1 to 3 were merely co-sharers holding limited shares in the suit land, and several other co-sharers, whose shares were also included in the decree, were neither made parties to the agreement nor impleaded as necessary parties in the suit. He therefore prays that the impugned judgment and decree dated 17.05.2024 is unsustainable in the eye of law.

3. Heard.

4. In view of the submissions made hereinabove, issue notice on the present Civil First Appeal, Application (IA No.1/2026) filed under Section 96 of CPC, seeking leave to prefer appeal as well as Application (CMCC No.625/2026) filed under Section 5 of the Limitation Act, to the respondent No.1 only, returnable on 25.03.2026.

5. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.

6. Notices be given '*dasti*' to the learned counsel for the appellants.

7. Requisites PF and notices may be filed within a period of one week.

8. Let the record of the learned Court below be summoned.

9. List the matter on 25.03.2026.

(MANEESH SHARMA),J