

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5282/2026
CNR: RJHC020212742026 | URN: CW / 11583U / 2026

1. Attar Singh Bisoya S/o T.S. Verma, Aged About 58 Years, R/o B-67/1, South Extension 2, Greater Kailash, S.o. South Delhi- 10048.
2. Sanjay Kavatra S/o Shri Om Prakash, Aged About 54 Years, R/o M.D. 17, Emaar Marbella, Sector 66, Baadshahpur, Gurgaon (Gurugram), Haryana- 122101.

-----Petitioners

Versus

1. Suncity Projects Private Limited, Through Authorized Representative Manoj Narenia, General Manager Law, Address- Jewel of India, J.I.n. Marg, Jaipur. Registered Office of Company LGF-10, Vasant Square Mall, Plot A, Sector B, Pocket 5, Vasant Kunj, New Delhi. Earlier Registered Office N 49, First Floor, Connaught Place, New Delhi. Corporate Office Suncity Business Tower, Second Floor, Golf Course Road, Sector 54, Gurugram (Haryana) 122002.
2. Vandana Yadav W/o Late Shri Vijay Kumar Yadav, Aged About 55 Years, R/o Plot No. C- 127, Old Dlf Colony, Gurugram. Current Address E-602, Uniworld City, Sector 41, Gurugram (Haryana).
3. Siddharth Yadav S/o Late Shri Vijay Kumar Yadav, Aged About 32 Years, R/o Plot No. C- 127, Old Dlf Colony, Gurugram. Current Address E-602, Uniworld City, Sector 41, Gurugram (Haryana).
4. Rahul Yadav S/o Late Shri Vijay Kumar Yadav, Aged About 30 Years, R/o E-602, Uniworld City, Sector 41, Gurugram (Haryana).

-----Respondents

For Petitioner(s)	:	Mr. Ashok Mehta, Sr. Adv. assisted by Mr. Mudit Singhvi
For Respondent(s)	:	Ms. Suruchi Kasliwal with Mr. Vikram Singh, Ms. Nidhi Samodia

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

27/07/2026

1. Instant writ petition has been filed by and on behalf of petitioners-defendants No.4 & 5, impugning the two orders of even dated 19.02.2026, allowing respondent No.1-plaintiff to

submit rejoinder in the Civil Suit for Specific Performance so also in the application for temporary injunction.

2. During course of arguments, learned Senior Counsel has confined the prayer of this writ petition in respect of order dated 19.02.2026 passed in Civil Suit for Specific Performance, taking the rejoinder of plaintiff on record in the Civil Suit, since the application for temporary injunction has already been decided finally.

3. Precise submission of learned counsel for petitioners is that by way of rejoinder, respondent No.1-plaintiff has brought on record certain additional pleadings, which travels beyond the scope of Order 8 Rule 9 CPC and the petitioners would not get opportunity to refute/rebut such additional pleadings.

4. Learned counsel appearing on behalf of respondent No.1-plaintiff pointed out that additional pleadings, fall within the scope of Order 8 Rule 9 CPC and same have rightly been taken on record by the trial Court vide order impugned dated 19.02.2026 at the stage of framing the issues, however, if petitioners-defendants No.4 & 5, wish to submit any reply confining to such additional pleadings, liberty may be granted to them.

5. In view of concession/submissions made by counsel for respondent No.1-plaintiff, learned Senior Counsel appearing for petitioners-defendants submits that instead of going into the issue that additional pleadings submitted by plaintiff whether same fall within the scope of Order 8 Rule 9 CPC or not, petitioners may be given liberty to file reply to such additional pleadings of plaintiff, which have been placed on record by him by way of application under Order 8 Rule 9 CPC.

6. In view of above, without interfering with the order impugned dated 19.02.2026 passed in Civil Suit No.14/2024, instant writ petition stands disposed of with direction that petitioners-defendants No.4 & 5, shall be at liberty to submit additional reply, confining to the additional pleadings placed on record by the respondent No.1-plaintiff along with application under Order 8 Rule 9 CPC and that additional reply shall be treated as part and parcel of their written statement. Additionally, reply by petitioners can be filed, within a period of thirty days from today.

7. Stay application and other pending application(s), if any, stand disposed of.

(SUDESH BANSAL),J

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