

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 118/2026

Kailash Chand S/o Shri Kashiram Sharma & Anr.

----Appellants

Versus

Digamber Jain Panchayat

----Respondents

For Appellant(s) : Mr. Jai Prakash Gupta

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

17/03/2026

1. While impugning the judgment and decree dated 23.02.2026 passed by the learned District & Sessions Judge, Beawar (Rajasthan), in Civil Appeal No. 23/2023 (CIS No.23/2023), titled as '*Kailash Chand & Anr. Vs. Digamber Jain Panchayat, Bijaynagar*', whereby the appeal filed by the appellant was dismissed, and the judgment and decree dated 18.09.2023 passed by the learned Additional Senior Civil Judge No.2, Beawar (Rajasthan), in Civil Suit No.16/2020 (08/2019) CIS No.22/19, titled as '*Digamber Jain Panchayat, Bijaynagar Vs. Kailash Chand & Anr.*', was confirmed; learned counsel for the appellants, upon instructions from his clients, submits that he is not pressing the present second appeal on merits and seeks reasonable time to vacate the suit property. He further submits that the respondent is bent upon executing the decree during the pendency of the present second appeal.

2. Heard.

3. In view of the submissions made hereinabove, issue notice to the respondent, limited to the point of grant of reasonable time to vacate the suit property, returnable by 27.03.2026.
4. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.
5. Requisite PF and notices may be filed within a period of one week.
6. Notices be given '*dasti*' to the learned counsel for the appellants.
7. List the matter on 27.03.2026.
8. Till the next date, i.e., 27.03.2026, the appellants shall not be dispossessed from the suit property, provided the appellants deposit the entire arrears of rent and mesne profit in terms of the impugned judgment and decree dated 23.02.2026 within a period of ten days from today.
9. However, it is made clear that in case it is found that no effective steps have been taken to serve the respondent, the interim relief so granted shall be revoked.

(MANEESH SHARMA),J