

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 8613/2025

Barkat Bano Wife Of Kalu Shekh

-----Petitioner

Versus

Munsi & Ors.

-----Respondents

For Petitioner(s) : Mr. Yogendra Singh

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

29/06/2026

1. Learned counsel for petitioner submits that valuation of the subject property is specifically mentioned in the two registered gift deeds, and at-least respondents-plaintiffs should have valued the suit accordingly, particularly when the said gift deeds were also under challenge along with the relinquishment deed. His further submission is that the Civil Court committed jurisdictional error, so also perversity, in not pondering over the issue of the arbitrary valuation made by respondents-plaintiffs, and committed wrong in observing that the question of valuation in the present suit is a mixed question of fact and law.

2. Learned counsel further submits that having regard to the valuation of the subject matter as mentioned in the two registered gift deeds, the pecuniary jurisdiction of Civil Court goes to the District Judge.

3. Heard.

4. Issue notice of writ petition as also of stay application to respondents.

5. In the meanwhile, respondents-plaintiffs are at liberty to make proper valuation of the suit and to pay the requisite court fee, otherwise the Civil Court shall not proceed further with the hearing of present Civil Suit No. 88/2023.

(SUDESH BANSAL),J

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