

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1972/2026

Late Shri Jugal Kishore S/o Late Shri Premal & Ors.

----Appellants

Versus

Shri Vijay Kumar S/o Late Shri Premal & Ors.

----Respondents

For Appellant(s) : Mr. Dinesh Chand Gupta

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

01/05/2026

1. The present miscellaneous appeal has been preferred by the appellants assailing the judgment and decree dated 28.01.2026 passed by the learned District & Sessions Judge, Deeg, Rajasthan in Civil Regular Appeal No.05/2026 titled as '*Shri Vijay Kumar Vs. Late Shri Jugal Kishore*', whereby the appeal filed by plaintiff/respondent was allowed and the judgment and decree dated 26.11.2018 passed by learned Senior Civil Judge, Deeg, in Civil Suit No.02/2013 titled as '*Vijay Kumar Vs. Jugal Kishore*' was set aside.

2. Learned counsel for the appellants submits that the appellants and the respondents are real brothers. He further submits that the learned Court of Appeal has erred in remanding the matter for a fresh trial, while overlooking the pleadings and evidence led by the parties.

3. Heard.

4. In view of the submissions made hereinabove, issue notice to the respondents, returnable within a period of three weeks.

5. Requisite PF and notices may be filed within a period of one week and upon filing the same, one set be sent by ordinary post and another by registered post.
6. List the matter after three weeks.

(MANEESH SHARMA),J

Seema/6