

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 645/2026

1. Anil Pandey S/o Shri Rajendra Prasad Sharma, R/o Shastri Nagar, Ajmer. (Deceased through legal heirs)
- 1/1. Shrimati Laxmi Pandey W/o Late Shri Anil Pandey,
- 1/2. Devesh Pandey S/o Late Shri Anil Pandey,
- 1/3. Shrimati Jyotsna Pandey D/o Late Shri Anil Pandey,
All Residents of Shastri Nagar, Ajmer.

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Versus

1. Rajendra Prasad Sharma Son of Late Shri Badri Prasad Sharma, Resident of Shastri Nagar, Ajmer (Deceased).
2. Durga Prasad Pandey Son of Late Shri Badri Prasad Sharma, Resident of Shastri Nagar, Ajmer. (Deceased through legal heirs)
 - 2/1. Ajay Pandey Son of Late Shri Durga Prasad Pandey, Resident of 12 Madar Sahab Road, Rukmani Marg, Kundan Nagar, Ajmer.
 - 2/2. Smt. Manju Purohit Wife of Shri Hariji Purohit, D/o Late Shri Durga Prasad Pandey, R/o House Number 45, Ganpati Nagar, Rajput Hostel Wali Gali, Near Regional College, Pushkar Road, Ajmer.
 - 2/3. Smt. Annu Bhargava Wife of Shri Kirti Bhargava, Daughter of Late Shri Durga Prasad Pandey, Resident of House Number 806, Block C, Pragati Nagar, Opposite Nirala Hills, Kotada, Housing Scheme, Kotada, Ajmer.
3. Dwarka Prasad Sharma Son of Late Shri Badri Prasad Sharma. (Deceased Through His Legal Heirs)
 - 3/1. Smt. Sarla Devi Wife of Late Shri Dwarka Prasad Sharma, Resident of House Number 306/4, Lakhan Kotdi, Ajmer.
 - 3/2. Smt. Bharti Wife of Shri Yogesh Kumar, R/o Near English New Vision School, Shyamgarh Road, Barod, District Mandsaur (Madhyapradesh).
 - 3/3. Smt. Bhavna Sharma Wife of Shri Yogendra Vyas, Resident of 12, Moti Magri, Scheme, Udaipur.
 - 3/4. Smt. Shraddha Sharma Wife of Shri Ritesh Vyas, Resident of 29, Keshav Nagar, Ujjain.
 - 3/5. Kumari Sapna Daughter of Late Shri Dwarka Prasad

Sharma, Resident Of House Number 306/4, Lakhan Kotdi, Ajmer.

4. Smt. Chandrakala Wife of Late Beni Prasad Nagla, Resident of Gurudwara Road, Market No.2, Ramganj Mandi, Rajasthan, Currently Residing at Shastri Nagar, Ajmer.
5. Smt. Geeta Devi Wife of Late Shri Ramprasad, Resident of Sabarmati, 4K, Housing Board Colony, Kota. (Through Heirs of the Deceased),
 - 5/1. Ashok Kumar Shrungi Son of Shri Ramprasad Shrungi, Resident of 455 Transport Nagar, Kota.
 - 5/2. Vijay Kumar Shrungi Son of Shri Ramprasad Shrungi, Resident of Sabarmati Colony, Kota.

-----Respondents

6. Ravi Pandey S/o Shree Rajendra Prasad Sharma, R/o Shastri Nagar, Ajmer.

-----Proforma Respondent

For Appellant(s) : Mr. M.M. Ranjan, Sr. Adv. assisted by
Mr. Devashish Pancholi, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

30/04/2026

1. Instant appeal has been filed challenging the judgment dated 23.01.2026 passed by learned District Judge, Ajmer in Civil Suit No.163/2025 (73/2011) which was filed by the plaintiffs-appellants for partition, declaration and permanent injunction with respect to property in dispute and the same been dismissed.
2. Learned counsel for the plaintiff-appellant submits that during pendency of the suit, stay was granted in favour of plaintiffs-appellants wherein, parties were restrained from creating any third party rights with respect to property in dispute.

3. Issue notice of the appeal as well as stay application to the respondents by both modes i.e. by ordinary course as well as by registered post, returnable within six weeks. Requisites be filed within a period of one week.
4. In that view of matter, list the matter after six weeks.
5. Record of the Court below be summoned.
6. Till the next date of hearing, both the parties are restrained from creating any third party interest with respect to the property in dispute.

(ASHUTOSH KUMAR),J