

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 251/2025

Mahavir Prasad & Anr.

----Appellants

Versus

Ramsharan

----Respondent

For Appellant(s)	:	Mr. Mukesh Kumar Goyal
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA
Order

27/02/2026

1. Matter comes up on S.B. Civil Miscellaneous Application No.1579/2025 filed by the appellants under Section 5 of the Limitation Act, 1963, seeking condonation of delay of 13 days, in filing the present civil second appeal.
2. For the reasons mentioned in the application, the same is allowed. Delay of 13 days, in filing the present civil second appeal, is hereby condoned.
3. Accordingly, the S.B. Civil Miscellaneous Application No.1579/2025 stands disposed of.
4. While impugning the judgment and decree dated 24.12.2024 passed by the learned Additional District & Sessions Judge No.2, Khetri, District Jhunjhunu, in Civil Regular Appeal No. 02/2021, titled as '*Mahavir Prasad & Anr. Vs. Ramsharan*', wherein the appeal filed by the appellants was dismissed and confirmed the judgment and decree dated 13.10.2020 passed by learned Civil Judge, Khetri, District Jhunjhunu, in Civil Suit No.91/2014 (CIS No.712/2014) titled as '*Ramsharan Vs. Mahavir Prasad & Ors.*',

whereby the suit filed by the plaintiff/respondent for recovery of money was decreed against the appellants/defendants; learned counsel for the appellants submits that questions of law are involved in the present second appeal. He therefore prays that the impugned judgment and decree dated 24.12.2024 and 13.10.2020 may kindly be quashed and set aside.

5. Heard.

6. In view of the submissions made hereinabove, issue notice to the respondent, returnable within two weeks.

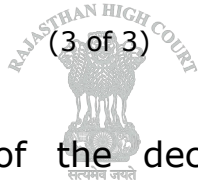
7. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.

8. Let record of the learned Court below be summoned.

9. Requisition be given '*dasti*' to the learned counsel for the appellants.

10. List the matter after two weeks.

11. Therefore, considering the fact that the Executing Court has issued attachment/arrest warrant against the appellants, and the next date fixed for hearing in the execution is 07.03.2026, therefore, in the interest of justice, execution of the impugned judgment and decree dated 24.12.2024 passed by learned Additional District & Sessions Judge No.2, Khetri, Rajasthan, in Civil Regular Appeal No. 02/2021, titled as '*Mahavir Prasad & Anr. Vs. Ramsharan*', as well as the judgment and decree dated 13.10.2020 passed by learned Civil Judge, Khetri, District Jhunjhunu, in Civil Suit No.91/2014 (CIS No.712/2014) titled as '*Ramsharan Vs. Mahavir Prasad & Ors.*', shall remain stayed, during the pendency of the present second appeal, provided the



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appellants deposit 50% of the decretal amount, along with interest with the concerned Executing Court within a period of two weeks from today.

(MANEESH SHARMA),J

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