

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7398/2026

Thakur Shree Radha Gopal Jee

-----Petitioner

Versus

Satkodi Mukherjee Charitable Trust

-----Respondent

For Petitioner(s)	:	Mr. Saransh Saini with Mr. Vinod Kumar, Mr. Neeraj Kumar Ms. Sanjana Choudhary
For Respondent(s)	:	

HON'BLE MR. JUSTICE BIPIN GUPTA
Order

29/04/2026

1. The present civil writ petition has been filed assailing the order dated 30.03.2026, passed by learned Additional District & Sessions Judge No.7, Jaipur Metropolitan-I, in Civil Suit No.30/2050 (CIS No.1213/2014), whereby the application of the plaintiffs-petitioners under Section 151 CPC has been rejected. In the said application, the petitioners had prayed that the word 'deceased' may be recorded against the names of defendant Nos. 2 and 3.

2. While passing the impugned order dated 30.03.2026, another application filed by defendant No.9/3 under Order 22 Rule 4(3) CPC was also disposed of with a direction that the legal successors of defendant Nos.2 and 3 be impleaded as parties. However, defendant No. 9/3 had, in fact, prayed in his application that the suit be abated against defendant Nos. 2 and 3.

3. Learned counsel for the petitioners submits that none of the parties had approached the Court seeking impleadment of the

legal successors of defendant Nos.2 and 3. He further submits that the learned Trial Court, without application of mind, failed to consider that in place of trustees, only a trustee can be impleaded and not the legal heirs of the trustees until and those legal heirs are trustees of the trust.

4. Heard.

5. Let notices be issued to all the respondents except 2 & 3, who have expired. Rule is made returnable within four weeks.

6. Learned counsel for the petitioner is also directed to place the correct amended cause title on record showing respondent Nos.2 & 3 as deceased.

7. In the meanwhile, operation of the impugned order dated 30.03.2026, shall remain stayed till the next date of hearing.

8. List the matter after four weeks.

(BIPIN GUPTA),J