

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 669/2026
CNR: RJHC020379562026 | URN: CFA / 1021U / 2026

Hanuman Prasad S/o Late Shri Nathulal,

----Appellant

Versus

Smt Narbada Devi W/o Late Shri Mohanlal and Ors.

----Respondents

For Appellant(s)	:	Mr. Ravi Sharma
For Respondent(s)	:	Ms. Anita Aggarwal Mr. Luxmi Kant

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

12/08/2026

1. The present first appeal has been filed by the appellant, assailing the judgment and decree dated 05.02.2026 passed in Civil Suit No.11/2015 (15/2021) (CIS No.06/2015) by the learned Additional District Judge No.1, Kishangarh District Ajmer, whereby the suit filed by the appellant has been decreed.
2. Learned counsel for the appellant submits that the learned court below erred in decreeing the suit and has not appreciated the pleadings and evidence led by the appellant in the right perspective. He further submits that the suit *per se* was not maintainable with regard to partial properties. He also submits that before filing of the present suit, another Civil Suit No.20/2012 titled '*Ram Swaroop Sharma Vs. Suresh Sharma and Ors.*' for partition was pending; therefore, the impugned judgment and decree ought not to have been passed. He, therefore, submits that

the impugned judgment and decree is unsustainable in the eyes of law and prays that the same may kindly be set aside.

3. Heard.

4. Ms. Anita Aggarwal, learned counsel, appears on behalf of respondents; hence, service of notices upon respondents is treated as complete.

5. In that view of the matter, notice need not be issued.

6. Requisite PF and notices may be filed in two sets within a period of one week and upon filing the same, one set be sent by ordinary post and another by registered post.

7. Let the record of the learned court below be summoned.

8. List this matter after six weeks.

9. Till the next date of hearing, the parties are directed to maintain status quo with regard to the suit property as it exists today.

(MANEESH SHARMA),J

SOURAV/11