

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Miscellaneous Appeal No. 2237/2026

Daluram S/o Laduram

----Appellant

Versus

Bhawani Shankar S/o Om Prakash, & Ors.

----Respondents

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|                   |   |                          |
|-------------------|---|--------------------------|
| For Appellant(s)  | : | Mr. Manoj Kumar Bhardwaj |
| For Respondent(s) | : |                          |

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**HON'BLE MR. JUSTICE MANEESH SHARMA**

**Order**

**06/05/2026**

1. While impugning the order dated 22.04.2026 passed by the learned Additional District Judge No.2, Sikar, in Civil Misc. Case No.09/2023 (CIS No.09/2023), whereby the application filed by the plaintiff/appellant for temporary injunction under Order 39 Rule 1 & 2 of the CPC, was dismissed, learned counsel for the appellant submits that the present matter pertains to a suit for specific performance in respect of agreement dated 21.02.2022.
2. He further submits that as per the agreement dated 21.02.2022 it was agreed between the parties that the vendors will get the sale deed executed, despite which all the parties to the agreement other than the present defendants have performed their part of the contract, therefore, the suit for specific performance was filed. He further submits that the learned Court below erred in not allowing the TI application to preserve the suit property and the petitioner has a reasonable apprehension that the suit property will be further alienated if an injunction is not granted to the petitioner.

3. Heard.
4. In view of the above, issue notice to the respondents, returnable within six weeks.
5. Requisite PF and notices may be filed in two sets within a period of one week, and upon filing the same, one set will be sent by ordinary post and another by registered post.
6. Let record of TI application No.9/2023 pending before the learned Trial Court be summoned.
7. In the meanwhile, the respondents are restrained not to sell, transfer, alienate or create any third party rights over the suit property.
8. List this matter after six weeks.

(MANEESH SHARMA),J