

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

S.B. Civil Writ Petition No. 9435/2025

Raj Bahadur Rajoria Son Of Late Shri Lal Chand Rajoria, Aged About 59 Years, Resident Of House No. C-1/239, Chitrakoot Yojna, Ajmer Road, Jaipur (Raj.)

----plaintiff-Petitioner

Versus

1. Shri Lal Chand Rajoria Son Of Late Shri Bhgwan Das, Resident Of S-18, Bhawani Singh Road, C-Scheme, Jaipur (Raj.) (Since Deceased)
2. Smt. Kamla Devi Wife Of Late Shri Lal Chand Rajoria, Aged About 83 Years, Resident Of S-18, Bhawani Singh Road, C-Scheme, Jaipur (Raj.)
3. Girish Kumar Son Of Late Shri Lal Chand Rajoria, Aged About 66 Years, Resident Of Plot No.34, Shakti Nagar, Triveni Chauraha, Gopalpura Bypass Road, Jaipur (Raj.). Presently Residing At Plot No.58, Bajrang Vihar, Near Durgapura Railway Station, Jaipur (Raj.).
4. Smt. Shakuntala Devi Wife Of Shri Girish Kumar, Aged About 64 Years, Resident Of Plot No.34, Shakti Nagar, Triveni Chauraha, Gopalpura Bypass Road, Jaipur (Raj.). Presently Residing At Plot No.58, Bajrang Vihar, Near Durgapura Railway Station, Jaipur (Raj.).
5. Shri Rambabu Son Of Late Shri Lal Chand Rajoria, Aged About 56 Years, Resident Of S-18, Bhawani Singh Road, C-Scheme, Jaipur (Raj.)
6. Sunil Kumar Badaya Son Of Shri Kastoor Chand Badaya, Aged About 58 Years, Resident Of Plot No.b-60, Laxmi Narainpuri, Surajpole, Jaipur (Raj.).

----Defendants-Respondents

For Petitioner(s)	:	Mr. Raj Bahadur Rajoria, present In person.
For Respondent(s)	:	Ms. Bhumika Goyal Ms. Anshu Agarwal Mr. Bhupender Dabi Mr. Sahil Hussain

HON'BLE MR. JUSTICE BIPIN GUPTA
Judgment / Order

26/02/2026

1. The present writ petition has been filed assailing the order dated 10.03.2025, passed by learned Additional District Judge No.

6, Jaipur Metropolitan-I, Jaipur, in Original Civil Suit No. 58/2014, whereby, an application filed by the plaintiff-petitioner under Order 14 Rule 5 read with Section 151 CPC was partly allowed.

2. Shorn of the facts are that the plaintiff petitioner had filed a suit for recovery and temporary injunction against the respondents No. 1 to 6. In the said suit proceedings, the plaintiff-petitioner filed an application under Order 14 Rule 5 CPC which was dismissed vide order dated 03.05.2016. Aggrieved of the same, plaintiff-petitioner preferred a review petition, which was also dismissed vide order dated 26.09.2016.

3. Aggrieved by both the orders, plaintiff-petitioner filed a writ petition bearing number S.B. Civil Writ Petition No. 2222/2018 before this Court. A Co-ordinate Bench of this Court vide order dated 11.05.2023, quashed & set aside the orders dated 03.05.2016 and 26.09.2016 and directed the learned Trial Court to decide the application filed by the plaintiff-petitioner under Order 14 Rule 5 CPC afresh, on the basis of the pleadings of the parties and without being prejudiced by any observation of this Court. However, the proposed issue Nos. 2, 4, 7, 9, 10 and 14 were not pressed by the petitioner.

4. Thereafter, the learned trial Court re-framed the issues in pursuance of the order dated 10.03.2025.

5. Learned counsel for the petitioner submits that under the order dated 10.03.2025, certain issues have been left and therefore has challenged the order dated 10.03.2025.

6. Learned counsel for the petitioner submits that the issue which are being suggested by him are material in nature and based on the pleadings of the parties.

7. Heard and perused the material available on record.
8. This Court finds that as many as six issues were initially framed and after the order dated 10.03.2025, as many as fourteen issues have been framed.
9. This Court finds that the learned Trial Court, after evaluating the pleadings of the parties, has properly framed the issues. Issues need not be framed in respect of every fact alleged by the plaintiff and denied by the defendant. Rather, issues are to be framed on the basis of the pleadings so as to inform the parties as to the matters on which evidence is required. The purpose of framing issues is to determine the real controversy between the parties.
10. This Court further finds that the learned Trial Court has correctly framed the issues, and there is no necessity to frame any additional issue.
11. With the above observations, the present writ petition stands dismissed.
12. All pending application(s) shall stand disposed of.

(BIPIN GUPTA),J