

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 2596/2025

Vijay Kumar Sharma S/o Sh. Banshilal,

----Appellant

Versus

Naresh Rathore S/o Sh. Omprakash Rathore & Ors.

----Respondents

For Appellant(s) : Mr. Arvind Sharma with
Mr. Mukesh Sharma

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SHUBHA MEHTA

Order

28/04/2026

1. Learned counsel appearing for the appellant submits that *vide* order dated 15.03.2025, an application was filed under Section 9 of the Arbitration & Conciliation Act, 1996 by the partner who had entered into the partnership as a joint venture which has resulted in restraining only the appellant from selling the flats and interfering with the possession of the flats which are with the non-appellant. However, while the restraint on the selling of the flats of the appellant, the respondents nor appellant have been left free to sell their part of the properties in the joint venture which could not have been done.

2. Learned counsel further submits that S.B. Arbitration Application No.71/2025 (*Dinesh Kumar Sanadhya vs. Naresh Rathore*) & S.B. Arbitration Application No.77/2025 (*Naresh Rathore vs. Vikas Jain*) have been moved by both the parties for the appointment of an arbitrator and the same are pending before this Court.



3. Issue notice to respondents, returnable within six weeks.
4. Meanwhile, the status quo on the property shall be maintained by both the parties.

(SHUBHA MEHTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

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