

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

S.B. Civil Revision Petition No. 103/2021

Smt. Gita Macfarland W/o Sh. Ajit Macfarland D/o Late Sh.
Arthur Pritam Singh & Anr.

-----Petitioners

Versus

Smt. Rina Singh Masih W/o Sh. Kulbeer Singh Masih And D/o
Late Sh. Arthur Pritam Singh & Ors.

-----Respondents

For Petitioner(s) : Mr. Shivangshu Naval with
Mr. Ayush Sharma

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

07/03/2022

Counsel for petitioners submits that respondents-plaintiffs have filed civil suit No.41/2021 before the Court of Additional Civil Judge No.3 Jaipur Metropolitan Magistrate No.3, seeking declaration of a registered codicil dated 14.06.2018 whereby two rival wills are in favour of plaintiffs were cancelled.

Counsel for petitioners submits that the civil court has no jurisdiction to entertain the present civil suit. However, his application under Order 7 Rule 11 CPC has been dismissed by civil court vide impugned order dated 13.07.2021.

Issue notice of revision petition as well as stay application.

Heard on stay application.

Having considered the facts and circumstances of the case, further proceedings of civil suit No.41/2021 shall remain stayed.

(SUDESH BANSAL),J