

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

S.B. Civil First Appeal No. 1379/2025

Mohammad Noor S/o late Shree Ahmed Noor

----Appellant

Versus

Sadik S/o late Ahmed Noor, & Ors.

----Respondents

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For Appellant(s) : Mr. Govind Pal Choudhary

For Respondent(s) :

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

**Order**

**23/02/2026**

1. The present first appeal has been filed by the appellant assailing the judgment and decree dated 19.03.2025 passed by the learned Additional District Judge, Ramganjmandi, District Kota in Civil Suit No.10/2014 (CIS No.542/2014) titled as '*Mohd. Noor vs. Sadik & Ors.*', whereby the suit filed by the plaintiff-appellant for partition, was dismissed.

2. Learned counsel for the appellant submits that the learned Court below erred in dismissing the suit for partition while not considering the fact that the appellant is a legal representative of late Shree Ahmed Noor. He further submits that the learned Court below erred in dismissing the suit while observing that the appellant has failed to prove that he is governed as per the Muslim Personal Law (Shariat) Application Act, 1937. The aforesaid finding of the learned Trial Court is per se illegal.

3. Heard. The matter requires consideration.

4. Admit.

5. In view of the above, issue notice to the respondents, returnable within four weeks.
6. Let record of the Court below be summoned.
7. However, prayer for interim relief will be considered after completion of service upon the respondents and receiving the record.

(MANEESH SHARMA),J