

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11041/2024

- 1 Lakhin Walia S/o Sh.pawan Kumar Walia, Aged About 37 Years, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)
- 2 Rahul Walia S/o Sh.pawan Kumar Walia, Aged About 33 Years, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)

----Petitioners/Plaintiff

Versus

- 1 Smt. Vidya Beniwal W/o Sh.ramkumar Beniwal, Aged About 55 Years, R/o 122 Indira Nagar, District Jhunjhunu (Raj.)
- 2 Sumit S/o Subhash Chandra Kyamsariya, Aged About 32 Years, R/o District Jhunjhunu (Raj.)
- 3 Late Brijmohan S/o Narayan Singh, Aged About 65 Years, R/o Hanumanpura Tehsil And District Jhunjhunu (Raj.)
- 3.1 Shri Chagan Lal S/o Late Brijmohan, R/o Bisau Mod, Mandawa, Tehsil And District Jhunjhunu (Raj.)
- 3.2 Shri Gaytri Devi D/o Late Brijmohan, R/o Bisau Mod, Mandawa, Tehsil And District Jhunjhunu (Raj.)
- 3.3 Shri Santosh Devi D/o Late Brijmohan, R/o Bisau Mod, Mandawa, Tehsil And District Jhunjhunu (Raj.)
- 3.4 Shri Parmeshwari Devi D/o Late Brijmohan, R/o Bisau Mod, Mandawa, Tehsil And District Jhunjhunu (Raj.)
- 3.5 Shri Maakhni Devi D/o Late Brijmohan, R/o Bisau Mod, Mandawa, Tehsil And District Jhunjhunu (Raj.)
- 4 Hari Singh S/o Hanumanaram, R/o Meharampur Tehsil And District Jhunjhunu (Raj.)
- 5 Neeraj Walia S/o Lt. Rajendra Prasad Walia, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)
- 6 Naveen Walia S/o Lt. Rajendra Prasad Walia, R/o Near Bhikawala Kua, Chuna Chowk, Ward No.25, District Jhunjhunu (Raj.)
- 7 Sahil Walia S/o Lt. Naresh Kumar Walia, R/o Near Bhikawala Kua, Chuna Chowk, Ward No.25, District Jhunjhunu (Raj.)

- 8 Sagar Walia S/o Lt. Naresh Kumar Walia, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)
- 9 Shishram Ruhil S/o Palaram Ruhil, R/o Rasoda Tehsil And District Jhunjhunu Currently Photostate Shop Near Post And Telephone Exchange Office, District Jhunjhunu (Raj.)

----Respondents/Defendant

Connected With

S.B. Civil Writ Petition No. 15593/2023

- 1 Lakhin Walia S/o Sh.pawan Kumar Walia, Aged About 36 Years, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)
- 2 Rahul Walia S/o Sh.pawan Kumar Walia, Aged About 32 Years, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)

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Minor Through Next Friend Smt. Rajbala W/o Lt. Naresh Kumar Walia, R/o Near Bhikawala Kua, Chuna Chowk, District Jhunjhunu (Raj.)
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----Respondents/Defendant

For Petitioner(s)	:	Mr. Aditya Matolia
For Respondent(s)	:	Mr. R K Daga Mr. Rahul Singh Chouhan

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

27/02/2026

In S.B. Civil Writ Petition No. 15593/2023

1. With the consent of both the parties, the present writ petition stands disposed of with the following terms:-

(i) The order dated 31.08.2023 is hereby quashed and set aside.

(ii) The learned Trial Court is directed to impound the family settlement dated 03.07.2012 and transmit the same to the Competent Authority for the purpose of valuation and determination of the requisite stamp duty. Upon proper assessment and payment of the

stamp duty, the learned Trial Court shall thereafter consider the objection raised by the respondent with regard to the registration of the said document. The aforesaid exercise of impounding, valuation, and payment of stamp duty shall be completed within a period of three (3) months.

(iii) In the event the petitioner fails to pay the stamp duty as determined by the Competent Authority within a period of one (1) month from the date of such determination, the learned Trial Court shall proceed with the matter without taking the said document into consideration.

(iv) If the stamp duty is duly paid, the learned Trial Court shall thereafter adjudicate upon the objection raised by the respondent concerning the admissibility of the document on the ground of its registration.

2. Pending application(s), if any, also stand disposed of.

In S.B. Civil Writ Petition No.11041/2024:-

1. In view of the order passed in S.B. Civil Writ Petition No. 15593/2023, the present writ petition has been rendered infructuous.

2. Accordingly, the present Civil Writ Petition is dismissed as having become infructuous.

3. Pending application(s), if any, also stand disposed of.

(BIPIN GUPTA),J