

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

S.B. Civil Miscellaneous Appeal No. 1488/2021

Firoz S/o Fakruddin

----Appellant

Versus

Nand Kishore S/o Mool Chand & ors.

----Respondents

For Appellant(s) : Mr. Shailesh Prakash Sharma

For Respondent(s) : Mr. Prem Shanker Sharma

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

10/05/2022

This appeal has been filed by the appellant-plaintiff feeling aggrieved by the dismissal of his application for Temporary Injunction under Order 39 Rule 1 and 2 CPC vide impugned order dated 25.08.2021.

Learned counsel for appellant submits that the plaintiff has filed a civil suit for specific performance on the basis of agreement dated 07.08.2019 in relation to the agricultural lands in question. The appellant claims to have possession over the lands in question.

Per contra, learned counsel for respondents submits that they are in actual cultivation and possession of the lands in question on the basis of registered documents of gift deed and sale deed.

Having heard learned counsel for both parties.

The appeal is **admitted** for hearing.

During the course of appeal, it is directed that respondents shall not further sell/transfer the property in question. However,

this stay order will not come in way in progress of the trial of the suit before the trial court.

With the aforesaid, the stay application filed with the appeal stands disposed of.

(SUDESH BANSAL),J

TN/78

