

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 10664/2025

Patal Nagar Grah Nirman Sahkari Samiti Limited, (Registration No. 2965/I) Through Mantri Jitendra Singh S/o Shri Choga Singh, R/o C-18, Gayatri Nagar Vistar, Maharani Farm, District Jaipur (Raj.)

-----Plaintiff/Petitioner

Versus

- 1 Badrilal S/o Shri Narayan, R/o Village Bari Ka Bas, Patwar Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)
- 2 Shankar S/o Shri Ramnath, R/o Village Bari Ka Bas, Patwar Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)
- 3 Gopal S/o Shri Ramnath, R/o Village Bari Ka Bas, Patwar Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)
- 4 Jainarayan S/o Shri Ramnath, R/o Village Bari Ka Bas, Patwar Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)
- 5 Smt. Bhuri Widow Of Ramnath, (Died During Suit)
- 5.1 Komal W/o Suresh, R/o Village Damalya Tehsil Jamwaramgarh, District Jaipur. (D/o Rupa Devi W/o Hanuman, Who Died During The Lifetime Of Smt Bhuri Devi)
- 5.2 Kamlesh W/o Prahlad, R/o Village Damalya Tehsil Jamwaramgarh, District Jaipur. (D/o Rupa Devi W/o Hanuman, Who Died During The Lifetime Of Smt Bhuri Devi)
- 5.3 Kailash S/o Hanuman, R/o Village Govindpura Ropada, Tehsil Sanganer, District Jaipur. (S/o Rupa Devi W/o Hanuman, Who Died During The Lifetime Of Smt Bhuri Devi)
- 5.4 Roshan S/o Hanuman, R/o Village Govindpura Ropada Tehsil Sanganer, District Jaipur. (S/o Rupa Devi W/o Hanuman, Who Died During The Lifetime Of Smt Bhuri Devi)
- 6 Smt Prabhati Widow Of Kishna, R/o Village Bari Ka Bas, Patwar Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)

- 7 Birdichand S/o Kishna, R/o Village Bari Ka Bas, Patwar
Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)
- 8 Kalluram S/o Kishna, R/o Village Bari Ka Bas, Patwar
Shetra Bilwa Kalan, Tehsil Sanganer, District Jaipur (Raj.)

----Defendant/Respondents

For Petitioner(s) : Mr. Neeraj Sharma
For Respondent(s) : Mr. Kapil Bardhar with
Mr. Suresh Bairwa,
Mr. Yogesh Kumar Meena

HON'BLE MR. JUSTICE BIPIN GUPTA
Judgment / Order

28/04/2026

1. The present writ petition has been filed assailing the order dated 22.05.2025, passed by learned Additional District and Session Judge No. 11, Jaipur Metropolitan-I (Headquarter Sanganer), in Civil Suit No. 233/2013, whereby the application filed by the plaintiff under Order 7 Rule 14 CPC has been rejected.

2. Learned counsel for the petitioner submits that evidence is being recorded with respect to two issues framed by the learned Trial Court, namely:

"5(A) आया वादी समिति कानूनन मीणा जाति के व्यक्ति की संपत्ति विक्रय अनुबन्ध नहीं कर सकते ?

5(b) आया जितेन्द्र सिंह वादी समिति की ओर से वाद प्रस्तुत करने हेतु अधिकारी है ? वादी"

3. Learned counsel for the petitioner submits that certain documents obtained from the JDA reveal that the JDA has acted upon an agreement to sell executed by a member of the Meena community in favour of Patel Nagar Society, which, according to the petitioner, are necessary for decision on Issue No. 5(A).

4. He, therefore, submits that these documents are necessary for adjudication of Issue No. 5(A).

5. Learned counsel further submits that, for the purpose of Issue No. 5(B), two additional documents were sought to be produced, namely, the declaration of result issued by the Election Officer and the register of minutes of meetings of the society.

6. Learned counsel for the petitioner submits that documents are essential for proving the factual matrix relating to Issues No. 5(A) and 5(B), and are thus relevant. The learned Trial Court, according to the petitioner, has erroneously declined to take the said documents on record.

7. Per contra, learned counsel for the respondent submits that Issue No. 5(A) is purely a legal issue, and even if any irregularity was committed by the JDA at an earlier stage, the same cannot constitute a basis for deciding the issue in favour of the plaintiff. He further submits that Issue No. 5(A) is purely a legal issue and to be decided strictly in accordance with the law applicable as on the relevant date.

8. Learned counsel for the respondent also submits that, insofar as the documents sought to be produced to prove Issue No. 5(B) are concerned, the same are photocopies, neither certified copies nor originals, and therefore cannot be taken on record under Order 7 Rule 14 CPC.

9. He, therefore, submits that the learned Trial Court has rightly rejected the application filed by the petitioner.

10. Heard and perused the material available on records.

11. This Court finds that Issue No. 5(A) is purely a legal issue. The documents sought to be produced, therefore, have rightly not

been taken on record by the learned Trial Court. As regards the documents relating to Issue No. 5(B), since they are photocopies and not supported by originals or certified copies, the learned Trial Court has rightly declined to take on record.

12. This Court finds no error in the impugned order warranting interference under its writ jurisdiction.

13. Accordingly, the Civil Writ Petition stands dismissed.

14. All pending applications also stand disposed of.

(BIPIN GUPTA),J