

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 199/2013
CNR: RJHC020703552013 | URN: CSA / 323U / 2013

Smt Chandrawati W/o Shri Jugal Kishore, Resident Of House No. A.M.C.24/46, Babu Mohalla, Kaisar Ganj, Ajmer Since Dead And Now Represented By Her Legal Representative Naresh Kumar S/o Shri Jugal Kishore, Resident Of House No. A.M.C. 24/46, Babu Mohalla, Kaisar Ganj, Ajmer.

----Appellant

Versus

- 1 M/s Sunder Medical Store, Through Its Proprietor Shri Dhanraj Jaisinghani S/o Shri Ramchandra Jaisinghani, House No. A.m.c. 288/20=209/33 Diggi Chowk, Ajmer (Since Deceased).
- 1.1 Vickey S/o Dhanjraj J Singhani,
- 1.2 Dimmpy S/o Dhanjraj J Singhani,
- 1.3 Lavina D/o Dhanjraj J Singhani,
- 1.4 Madhulika D/o Dhanjraj J Singhani,
- 1.5 Sarika D/o Dhanjraj J Singhani,
All Residents Of Bangolw- 4 7, Bangla Colony, Bewar Road, Ajmer.
- 2 Ved Prakash S/o Shri Jugal Kishore,
- 3 Satya Prakash S/o Shri Jugal Kishore (Dead),
- 4 Ram Prakash S/o Shri Jugal Kishore,
Residents Of House No. A.M.C. 25/46 Babu Mohalla, Kaisar Ganj, Ajmer.

----Respondents

For Appellant(s)	:	Mr. R. K. Daga, Mr. Pankaj Soni, Mr. Anuj Pareek, Mr. Dev Mani Singh, Mr. Keshav Singh Barath
For Respondent(s)	:	Mr. Mohd. Adil, Mr. Lokesh Kumar Verma with Mr. Pankaj Saini

HON'BLE MR. JUSTICE MANEESH SHARMA
Order

19/08/2026

1. The present civil second appeal has been filed by the plaintiff-appellant, assailing the impugned judgment and decree dated 12.04.2013 passed by the learned Additional District &

Sessions Judge No. 5, Ajmer, In Civil Appeal No. 194/2012, whereby the appeal filed by the tenant was allowed and the judgment and decree of eviction dated 21.08.2004 passed by the learned Civil Judge, Ajmer City (South), Ajmer, was set aside.

2. The matter comes up on an application (I.A. No. 1/2026) filed by the respondent under Section 151 of the Code of Civil Procedure, 1908, to decide/dispose the second appeal in view of the settlement arrived at between the parties.

3. Learned counsel for both parties submit that during the pendency of the present civil second appeal, the legal representatives of tenant/respondent No.1-*Dhanraj Jaisinghani*, have vacated the suit premises and have peacefully handed over the vacant possession of the suit property to the legal representative of the plaintiff/appellant.

4. Heard.

5. In view of the submissions made hereinabove, nothing survives for adjudication in the present civil second appeal as the vacant possession of the suit property has already been handed over to the legal representative of the plaintiff-appellant, i.e., *Naresh Kumar Gupta*, who is duly identified by his counsel.

6. Accordingly, the present civil second appeal is dismissed as having been rendered infructuous.

7. All pending applications, including I.A. No. 1/2026, stand disposed of.

(MANEESH SHARMA),J