

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Contempt Petition No. 866/2024

In

S.B. Civil Writ Petition No. 18327/2023

Gyarsilal Son Of Shri Gokulchand,

-----Petitioner

Versus

Shri Khushal Kumar Kothari

-----Respondent

For Petitioner(s)	:	Mr. Sandeep Bhagwati
For Respondent(s)	:	Mr. Shubham Aroda
		Mr. Anukram Singh for
		Mr. Rajesh Kumar Mutha

HON'BLE MR. JUSTICE ANAND SHARMA

Order

23/01/2026

In this contempt petition, the contempt petitioner has come out with a case that in the writ petition filed by the respondents-contemnors bearing in S.B. Civil Writ Petition No. 18327/2023, directions were given to both the parties to maintain a status quo. However, in the garb of such directions, the writ petitioners themselves are raising construction without seeking any prior permission from the Court.

Learned counsel for respondents-contemnors submits that no construction contrary to the order of status quo is being raised at the site in question and he has got no objection in case, Court Commissioner is appointed to verify this fact.

In order to ascertain as to whether, the order of status quo as passed by this Court is being violated or not, this Court deems it just and proper to appoint Mr. Sundaram Sharma as

Court Commissioner who would visit the site after giving 48 hours notice to both the parties and in presence of both the parties/their representatives, learned Commissioner would prepare its report so as to ascertain as to whether, after the order of status quo dated 20.12.2023 passed by this Court whether, any construction has been raised or is being raised by the contemnors.

List this matter on 16th February, 2026.

The respondents shall bear the cost of Court Commissioner, which is assessed as Rs.50,000/-. The fees of Court Commissioner shall be paid by the respondents in advance. Respondents would also make necessary arrangements with regard to transportation and other genuine expenses. The Court Commissioner is authorized to take assistance of local administration including police authorities for ascertaining the site position and to prepare the report.

The Court Commissioner shall submit his report on or before the next date.

In case, after receiving the report of Court Commissioner, contentions of the petitioner are found to be incorrect then, the petitioner shall refund the fee and expenses of Court Commissioner to the respondents.

(ANAND SHARMA),J