

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 4087/2025

Smt. Narwada Devi Wife Of Late Pyarelal

----Appellant

Versus

Smt. Bhagwati Devi Wife Of Late Pyarelal,

----Respondent

For Appellant(s) : Mr. Manoj Kumar Bhardwaj

For Respondent(s) :

HON'BLE MR. JUSTICE BIPIN GUPTA

Order

24/04/2026

1. The present appeal has been filed assailing the order dated 31.05.2025, passed by learned Additional District Judge, Vair, District-Bharatpur, in Civil Misc (Succession) Case No.338/2022 (33/16), whereby the learned Trial Court, while exercising powers under Section 383 of the Indian Succession Act, has revoked the succession certificate issued under the order dated 09.11.2000 on 16.01.2001.
2. Learned counsel for the petitioner submits that it has been categorically brought on record that the respondents had knowledge of the issuance of the succession certificate as early as in the year 2009. However, the application for revocation was filed after more than seven years from the date of such knowledge and is, therefore, hopelessly barred by limitation.
3. Learned counsel for the appellant further submits that the learned Trial Court has recorded perverse findings on Issue No. 2.
4. Learned counsel also contends that the question of limitation goes to the root of the jurisdiction of the Court, and the learned

Trial Court has committed a grave illegality in revoking the succession certificate despite the application being time-barred.

5. Heard.

6. Let notice be issue to respondents. Rule is made returnable within four weeks.

7. In the meanwhile, both parties are directed to maintain status quo.

8. List this matter after four weeks.

(BIPIN GUPTA),J