

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 13691/2025

1. Nazir Khan S/o Bhure Khan, Aged About 78 Years, R/o Post Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan), Presently Residing At Plot No. 151, Krishna Colony, Naya Kheda, Ambawadi, Jaipur, District Jaipur (Rajasthan). (Deceased) Through Legal Representatives-
- 1/1. Babuali S/o Late Nazir Khan, R/o Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) Address Plot No. 151, Karshna Colony, Nya Kheda, Ambawari, Jaipur (Raj.)

-----Petitioner

Versus

1. Rajeev Jhunjhunuwala S/o Late Shri Raghunath Prasad Jhunjhunuwala, Resident Of Laxmangarh, District Sikar (Rajasthan), Presently Residing At 1/b, Nando Malik Lane, Oswal Bhawan, Bedon Street, P.S. Girish Park, Kolkata (West Bengal) - 700006.
2. Siddharth Jhunjhunuwala S/o Late Shri Raghunath Prasad Jhunjhunuwala, Resident Of Laxmangarh, District Sikar (Rajasthan), Presently Residing At 1/b, Nando Malik Lane, Jhunjhunuwala House, P.s. Girish Park, Kolkata (West Bengal) - 700006.
3. Rinku Biyani S/o Vishwanath Biyani, Resident Of Ward No. 18, Fatehpur, District Sikar (Rajasthan).
4. Nemichand Dhaka S/o Bhagwanaram, Resident Of Village Bhooma Bada, Tehsil Laxmangarh, District Sikar (Rajasthan).
5. Babulal Godara S/o Mohan Singh, Resident Of Village Kandalau, Post Batdanau, Tehsil Laxmangarh, District Sikar (Rajasthan).
6. Ajay Nirania S/o Sanwarmal Nirania, Resident Of Ward No. 20 Laxmangarh, District Sikar (Rajasthan).
7. Hemant Jangid S/o Yagyadatt Jangid, Resident Of 150/1, Bhagwan Bahubali Nagar, Niwaru Road, Jhotwara Jaipur (Rajasthan).
8. Satyendra Arya, S/o Mohan Singh Arya, Resident Of Village Kaswali, Tehsil Laxmangarh, District Sikar (Rajasthan).

9. Birbal Singh Fagedia, S/o Ishwar Singh Fagedia, Resident Of Village Manasi, Tehsil Laxmangarh, District Sikar (Rajasthan).
10. Samim Bano D/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And W/o Slim Khan R/o Rasulpur, Tehsil Ramgarh Sethan, District Sikar (Raj.)
11. Islam D/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And W/o Gaffur Khan R/o Village Jajod, Tehsil Laxmangarh, District Sikar (Raj.)
12. Khateja Bano D/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And W/o Aslam Khan R/o Badabas, Ladnu, Tehsil Ladnu, District Didwana- Kuchaman (Raj.)
13. Razia Bano D/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And W/o Babuali R/o Village Miyan Ki Dhani, Tehsil Dataramgarh, District Sikar (Raj.)
14. Manju Bano D/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And W/o Mustak Khan R/o Village Jajod, Tehsil Laxmangarh, District Sikar (Raj.)
15. Imran Khan S/o Late Nazir Khan
16. Mohd. Irfan S/o Late Nazir Khan
17. Mohsin S/o Late Nazir Khan
All are Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And Plot No. 151, Krishna Colony, Naya Kheda Ambawari, Jaipur, Raj.
18. Alhamdo Bano W/o Late Nazir Khan, Resident Of Village Rajas, Tehsil Laxmangarh, District Sikar (Rajasthan) And Plot No. 151, Krishna Colony, Naya Kheda Ambawari, Jaipur, Raj.

-----Respondents

For Petitioner(s)	:	Mr. Yunus Khan
For Respondent(s)	:	Mr. Amit Jindal

HON'BLE MR. JUSTICE MANEESH SHARMA**Order****12/11/2025**

The application (IA No.1/2025) has been filed by the respondent No.4 under Article 226(3) of the Constitution of India, seeking vacation of the interim order dated 10.09.2025 passed by a Co-ordinate Bench of this Court.

During the course of hearing, it transpired that the impugned order dated 26.08.2025 passed by the learned Trial Court, whereby ad-interim injunction was not granted to the petitioner, is appealable under Order 43 Rule 1(r) of the Code of Civil Procedure, 1908. Therefore, the present writ petition is not maintainable.

In view of the above, the present writ petition stands dismissed as not maintainable.

However, the petitioner shall be at liberty to avail the appropriate remedy available under law.

The stay application, as well as other pending applications, if any, also stand disposed of.

(MANEESH SHARMA),J