

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 20739/2017

1. Nawal Kishore Saraf S/o Prabhu Narayan Saraf
2. Hari Shankar Saraf S/o Prabhu Narayan Saraf
3. Ashutosh Son Of Suresh Saraf, All By Caste Mahajan R/o Nehru Park Ke Saamne, Lalsot Road, Dausa, Distt. Dausa.
4. Smt. Mamta Koolwal W/o Omprakash Koolwal, By Caste Mahajan, R/o B-20, Mathur Vaishya Nagar, Sitabadi, Tonk Road, Jaipur.

----plaintiff Petitioners Landlords

Versus

1. Sita Ram Sharma S/o Nathulal, By Caste Brahman, R/o Village Shekhpuriya, Tehsil Sikrai, Distt. Dausa Rajasthan At Present Chandiwalla Mansion, Vinayak Barten Bhandar, Nehru Park Ke Saamne, Lalsot Road, Dausa, Distt. Dausa.
-----Defendant Tenant
2. Suresh Chan Saraf S/o Prabhu Narayan Saraf, By Caste Mahajan, R/o Nehru Parke Ke Saamne, Lalsot Road, Dausa, Distt. Dausa.

-----Proforma Respondent

For Petitioner(s) : Mr. Prakash Chand Thakuria
For Respondent(s) : Mr. Harshad Kapoor

HON'BLE MR. JUSTICE BIPIN GUPTA
Judgment / Order

25/02/2026

1. With the consent of both the parties, the civil writ petition is disposed of on the following terms:

(i) The order dated 09.10.2017 is quashed and set aside. The order dated 24.12.2016 is restored, subject to condition mentioned below:-

(ii) The respondents will vacate the premises on or before 28.02.2028.

(iii) Respondents undertakes to pay mesne profit @ Rs.2,000/- per month from 01.03.2026.

(iv) Respondents are directed to file an undertaking before the learned Rent Tribunal, to the effect that they

will vacate the premises, on or before 28.02.2028 and further to the effect that they will continue to pay the mesne profit @ Rs.2,000/-, per month till vacation of the premises and further will not sub-let or create any alteration in the disputed premises.

(v) The mesne profit, which is to be paid from 01.03.2026 shall be paid by the respondents by 15th day of the succeeding month. If they make default for three consecutive months in payment of the mesne profit, then the respondents shall be entitled to possession immediately in terms of the decree dated 24.12.2016.

(vi) If the order passed by this Court is not complied with by the respondents, then they will be liable for contempt of Courts proceedings.

2. Pending application(s), if any, also stand disposed of.

(BIPIN GUPTA),J