

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Second Appeal No. 439/2025

Omprakash Bansal, Son Of Shri Durgadas,

----Appellant

Versus

Gopallal Sharma Son Of Shri Sukhdev,

----Respondent

For Appellant(s) : Mr. J. P. Goyal, Sr. Adv. assisted by
Mr. Ronak Bansal

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

13/02/2026

1. The present civil second appeal has been filed by the plaintiff/appellants, assailing the judgment and decree dated 10.07.2025 passed by learned Additional District & Sessions Judge No.6, Jaipur Metropolitan - I, in Civil Regular Appeal No.17/2023 (CIS No.59/2023) titled as '*Gopal Sharma Vs. Omprakash Bansal*', whereby the learned Appellate Court allowed the appeal & reversed the judgment and decree dated 05.08.2023 passed by the learned Senior Civil Judge No.2, Jaipur Metropolitan-I, Jaipur, in Civil Suit No.150/1990 (CIS No.45343/2014) filed by the plaintiff/appellants under Section 13 of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950, for eviction and recovery of rent, had been partly decreed by the learned Trial court.
2. Learned counsel for the appellant submits that the learned Appellate Court has erred in reversing the judgment and decree dated 05.08.2023 passed by the learned trial Court and allowing the first appeal without properly appreciating the facts, law and

pleadings led by the parties. He further submits that the learned Court below has manifestly erred in reaching to the conclusion qua the *bona fide* necessity of the plaintiff/appellant.

3. Heard.

4. In view of the submissions made hereinabove, notice be issued to sole respondent, returnable within four weeks.

5. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.

6. Let the record of the learned Court below be summoned.

7. List the matter after four weeks.

(MANEESH SHARMA),J