

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 790/2018

Shankar Lal S/o Late Narayan

----Appellant

Versus

Smt Krishna Mathuria W/o Shri Om Prakash and Ors.

----Respondents

For Appellant(s)	:	Mr. Rajeev Bhushan Bansal
For Respondent(s)	:	Mr. Ajay Khedar for Mr. Satish Kumar Khandal Mr. Nikhlesh Katara

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

26/02/2026

1. Matter has come up on an application (I.A. No.1/2025) filed by the appellant with a prayer for issuance of directions to the respondents to maintain status quo with regard to the suit property.
2. Learned counsel for the appellant submits that the respondents herein are raising construction and bent upon alienating the suit property, therefore, the present application may be allowed.
3. Per contra, learned counsel for the respondents submits that the respondents are not alienating the suit property at all, rather they are raising construction over the property under their possession, which is 1/4th part of the suit property in terms of the decree so passed by the learned Additional District Judge No.3, Bharatpur, vide judgment and decree dated 12.07.2018. He therefore submits that the application may kindly be dismissed.

4. Heard.

5. Considering the facts and circumstances of the case, since in the present appeal, the appellant has assailed the preliminary decree dated 12.07.2018 passed in the partition suit, therefore in the interest of justice, let all the parties of the present first appeal be restrained from selling, transferring, alienating or creating third party rights over the suit property.

6. In that view of the matter, the stay order dated 15.05.2025 passed by a Co-ordinate Bench of this Court stands modified as mentioned hereinabove.

7. Accordingly, the application (I.A. No.1/2025) stand disposed of.

(MANEESH SHARMA),J