

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 1644/2025

Ramesh Chand Saini S/o Chetram

----Appellant

Versus

Ramesh

----Respondent

For Appellant(s) : Mr. Aditya Kiran Mathur
Mr. Aayush Goyal

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

07/10/2025

1. Plaintiff's suit for specific performance on the basis of agreement to sale dated 21.04.2011, has been dismissed vide judgment dated 06.08.2025 passed by the Additional District Judge No.1, Tijara, whereagainst this first appeal has been filed.
2. It has been pointed that issue No.1, execution of agreement to sale and payment of half of sale consideration i.e. Rs.1,50,000/- was held established.
3. It has further been pointed out that during course of civil suit, interim stay order dated 03.07.2018, passed in application for temporary injunction, was in operation, which has come to end with dismissal of civil suit. For ready reference, operative portion of the order dated 03.07.2018 is being reproduced hereunder:-

“प्रार्थी द्वारा प्रस्तुत आवेदन-पत्र वास्ते अस्थाई निषेधाज्ञा अन्तर्गत आदेश 39 नियम 1 व 2 सपवित धारा 151 दीवानी प्रक्रिया संहिता विरुद्ध अप्रार्थी इस हद तक स्वीकार किया जाता है कि अप्रार्थी मूल वाद के निर्णय तक प्रार्थना-पत्र में वर्णित विवादित जायदाद को अन्य किसी व्यक्ति को रहन, बय, हिबा, लीज मुन्तकिल नहीं करेगा।”

4. **Admit.**
5. Issue notice to respondents-defendants.
6. Record of trial Court be summoned.
7. In the meanwhile, the interim stay order dated 03.07.2018 passed by Additional District Judge No.1, Tijara, Alwar in application for temporary injunction bearing No.63/2013, shall remain operative.

(SUDESH BANSAL),J

Sachin/15