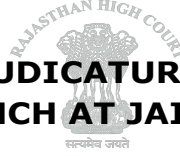




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 16160/2025

CNR: RJHC020851442025 | URN: CW / 36762U / 2025

1. Smt. Manju Sharma Widow, W/o Late Shri Naresh Kumar S/o Shri Jagdish Prasad, R/o 12, Rajnagar, Maharani Farm, Durgapura, Jaipur, currently tenant of Shop No.S-12, Rajnagar, Maharani Farm, Durgapura, Jaipur.
2. Gopeshwar S/o Late Shri Naresh Kumar S/o Shri Jagdish Prasad, R/o 12, Rajnagar, Maharani Farm, Durgapura, Jaipur, Currently Tenant Of Shop No. S-12, Mahavir Nagar II, Near Krishna Restaurant, Maharani Farm, Durgapura, Jaipur.
3. Mrs. Manisha D/o Late Shri Naresh Kumar W/o Shri Rajshekhar Joshi, R/o 12, Rajnagar, Maharani Farm, Durgapura, Jaipur, Currently Tenant of Shop No. S-12, Mahavir Nagar II, Near Krishna Restaurant, Maharani Farm, Durgapura, Jaipur.

-----Petitioners

Versus

Mohan Das S/o Shri Nathumal Tharwani, Aged About 68 Years,
R/o 72 A Gayatri Nagar-B, Maharani Farm, Durgapura, Jaipur.

-----Respondent

For Petitioner(s)	:	Mr. Prem Shanker Sharma
For Respondent(s)	:	Mr. OP Mishra Ms. Meeta Pareek

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

04/08/2026

1. Instant writ petition has been filed by the petitioners-tenants under Article 227 of the Constitution of India, challenging the judgment dated 27.08.2025 passed in Appeal No.200/2024 by the Appellate Rent Tribunal, Jaipur, dismissing the appeal and affirming the judgment dated 14.03.2024 passed in Case



No.87/2018 (755/2016) by the Rent Tribunal, Jaipur Metropolitan-II, whereby the application for eviction filed by the respondent-landlord has been allowed and petitioners-tenants have been directed to vacate the rented premises.

2. When this writ petition came up on board on 16.10.2025, following order has been passed:-

"1. Learned counsel for the petitioner, upon instructions of his client, does not wish to assail the impugned orders on merits and merely wants reasonable time to vacate the suit property.

2. In that view of the matter, issue notice to the respondents on the limited issue of grant of reasonable time to vacate the suit property, by both modes, ordinary as well as registered post, returnable by 12.11.2025.

3. Notice be given 'dasti' to learned counsel for the petitioner.

4. Till 12.11.2025, the petitioners may not be evicted from the suit property. Provided that the petitioner pays the entire arrears of rent, if any.

5. Counsel for the petitioner is directed to take all necessary steps to serve the unserved respondents."

3. During course of arguments, counsel for both parties, having instructions from their respective parties, have agreed to grant time up to 31st August, 2027 to the petitioners-tenants to retain the possession of rented shop subject to making payment of mesne profits at the rate of Rs.11000/- per month w.e.f. August, 2026 onward and the due arrears of rent, if any.

4. In view of above, instant writ petition stands disposed of on following terms and conditions as agreed between parties:-

i) The petitioners-tenants are allowed to continue in possession of rented shop upto 31.08.2027, subject to condition that he shall vacate and hand over possession of rented shop to landlord on or before 31.08.2027.



ii) The petitioners-tenants would pay the mesne profit @ Rs.11,000/- per month with effect from August, 2026 onwards, till vacation of the rented premise. The arrears of rent for the previous period at the rate of Rs.6750/-, as agreed between parties, till July, 2026, if any due, shall also be paid within a period of four weeks.

iii) The petitioners-tenants shall not alienate or otherwise create third party right or hand over possession of rented premises in question to any other person.

iv) That petitioners-tenants shall furnish an undertaking incorporating aforesaid conditions, before the trial Court within a period of four weeks, from the date of this order with an advance copy to respondent-landlord.

5. In case, petitioners-tenants fail to submit the undertaking, as aforesaid, and/or commit breach of conditions of this order, respondent-landlord shall be entitled to initiate immediate execution of the order to obtain possession of premises in issue forthwith, in accordance with law, and may also initiate proceedings of contempt for breach of undertaking.

6. Stay application and any other pending application(s), if any, stand(s) disposed of.

(SUDESH BANSAL),J