

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 1679/2025

Daluram S/o Shri Kaluram & Ors.

----Appellants/Plaintiffs

Versus

Prabhu Son of Gorilal Alias Goriya & Ors.

----Respondents

For Appellant(s)	:	Mr. Abhimanyu Singh Bhati Ms. Nisha Jhaknariya Ms. Kritika Chauhan
For Respondent(s)	:	Ms. Poonam Mishra Mr. Ritesh Jain

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

16/10/2025

1. This first appeal has been filed by and on behalf of plaintiffs' aggrieved by dismissal of their civil suit for specific performance of the contract, declaration and permanent injunction vide judgment dated 10.09.2025 passed in Civil Suit No.06/2023 (4/1998) passed by Additional District Judge No.2, Jaipur, District Jaipur.
2. Plaintiffs have been stated to be co-khatedar of 5/6th share and states to purchase 1/6th share of lands in question from respondent No.1 through agreements and claimed their possession as well. Since after execution of agreements, 1/6th share was allegedly sold by respondent No.1 to respondents No.2 & 3 through sale deed dated 21.07.1997 and 28.07.1997, hence, their sale deeds were also prayed to be declared as null and void while praying a decree for specific performance of the agreements in favour of plaintiffs.

3. It has transpired during course of trial that a part of land in question has been acquired by the JDA and compensation in form of allotment of alternative land has been given to the purchasers respondents No.2 and 3.
4. On behalf of respondents No.2 & 3, counsel has put in appearance as Caveator.
5. The First appeal is rehearing of the subject matter in toto and requires to be heard on facts and law and evidence in entirety can be re-appreciated.
6. Admit.
7. Issue notice of hearing of appeal to the respondents, except respondents No.2 and 3.
8. In view of the fact that interim order of status quo was operating during course of trial, hence, in the meanwhile, parties shall maintain status quo in respect of subject matter in question involved in the present suit.
9. Record of the trial Court be summoned.

(SUDESH BANSAL),J