

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

S.B. Civil Revision Petition No. 313/2025

Rajkumar Goyal S/o Shambhu Dayal & Anr.

-----Petitioners

Versus

Hariom S/o Dharamveer & Ors.

-----Respondents

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|                   |   |                            |
|-------------------|---|----------------------------|
| For Petitioner(s) | : | Mr. Gajender Singh Rathore |
| For Respondent(s) | : |                            |

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**HON'BLE MR. JUSTICE MANEESH SHARMA**

**Order**

**12/02/2026**

1. While impugning the order dated 16.09.2025 passed by the learned Civil Judge & Judicial Magistrate, Kotkasim (Khairthal - Tijara), in Civil Suit No. 34/35/2025 titled as '*Hariom Vs. Rajkumar & Ors.*', whereby the petitioners' application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 (CPC), was rejected.

2. Learned counsel for the petitioners submits that the learned Court below seriously erred in not appreciating the averments of the plaint in the correct perspective, while dismissing the application filed by the petitioners under Order 7 Rule 11 of the Civil Procedure Code, 1908. He further submits that in the present suit the plaintiff/respondents seek a decree declaring them as *Khatedars* of the land bearing *Khasra* No. 462, admeasuring 1.5400 hectares, situated at *Gram Manghaka Majra, Tehsil Kotkasim, Harsoli District (Khairthal-Tijara)*, for which the learned Trial Court lacks the jurisdiction to adjudicate upon, therefore, the

present suit is barred by law, and accordingly prayed for setting aside the impugned order dated 16.09.2025.

3. Heard.

4. In view of the submissions made hereinabove, notice be issued to respondents No.1 and 2 only, returnable within eight 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. Notice be given '*dasti*' to the learned counsel for the petitioner.

7. List the matter after eight weeks.

8. In the meantime, and until further orders, proceedings pending in the Civil Suit No. 34/35/2025 titled as '*Rajkumar & Anr. Vs. Hariom & Ors.*', before the learned Civil Judge & Judicial Magistrate, Kotkasim (Khairthal - Tijara), shall remain stayed.

9. The interim relief shall operate only after service of notice on the respondents.

(MANEESH SHARMA),J